

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VIRGINIA 24219
Telephone: (276) 523-8100

APPLICATION GUIDE

Coal Surface Mining and Reclamation Operations
General and Technical Information

General Instructions:

This guide is designed to present the general and technical information of the permit application in a standardized and structured format. Copies of the various forms which need to be completed are included at the end of each section of the application package for your use. If you need to include any attachments or forms, please clearly reference or cross-reference to the appropriate section and item number.

All maps, cross-sections, (larger than 8 ½ X 11 inches) and other attachments, shall include attachment numbers and be placed at appropriate sections within the body of the application. **For persons wishing to submit the application package electronically, please be advised the original application must be submitted on paper with original signatures and certifications.**

The disclosure of Social Security Numbers is optional.

If the application is for either a new permit (NJ) or repermit (RJ) please note that a DMLR-PT-034p must accompany this application.

SECTION I - GENERAL INFORMATION

- 1.1 **Permit Number** - Identify the existing Permit Number (if a new permit application, leave blank).
- 1.2 **Previous Permit Number** - Identify the previous permit number (**for succession or repermit applications only**), company name, and mailing address.
- 1.3 **Expiration Date** - Identify the Permit expiration date (if a new permit application, leave blank).

1.4 **Application Number** – The Applicant or Consultant will either contact the DMLR Permit Mailbox via e-mail (DmlrPermitting@mme.state.va.us) or may call the Customer Assistance Center (276-523-8235 or 276-523-8233) to obtain an application number and a download of current permit data. Additional information may also be provided if specifically requested (mapping, etc.).

1.5 **Operation Name/Number** - Indicate the mine numbers and/or names commonly used as reference by the applicant or operator (**Note: It is not recommended to name a mine based upon a contract operator as the mine name should be for the life of the permit**).

1.6 **Type of Application** - Use the applicable code to identify type of application:

| Code | Application Type | | Code | Application Type |
|-----------|---|--|-----------|--|
| NJ | Original - combination CSMO ¹ & NPDES ² | | SJ | Succession to existing (combination) CSMO & NPDES permit |
| RJ | Repermit - combination CSMO & NPDES | | TJ | Renewal - combination CSMO & NPDES |
| RP | Revision to Approved Plans | | RA | Incidental Boundary Revision |
| NN | New NPDES | | TN | Renewal - NPDES only |
| RN | Repermit of NPDES | | SN | Succession to NPDES |
| AA | Acreage Amendment | | | |

Acreage Amendment = requires new permit plans.

Repermit = requires the submission of new plans.

Succession = transfer of a permit from one entity to another, whereby the Applicant assumes all conditions of the existing permit.

1.7 **Type of Operation** - Use the following codes to identify the type of operation:

| Code | Operation Type | | Code | Operation Type |
|-----------|------------------------|--|-----------|----------------------------------|
| ES | Equipment Storage | | SC | Surface Mining – contour |
| EX | Exploration | | SM | Surface Mining - Mountaintop AOC |
| HR | Haul or Access road | | SS | Surface Mining - steep slope |
| LO | AF – Load-out Facility | | SU | Surface Mining - auger/highwall |
| MV | Sur Mtntop – AOC Varnc | | TI | AF - Tipple |
| OT | Other (describe type) | | UG | Underground |

¹ “CSMO” coal surface mining operation permit.

² “NPDES” National Pollutant Discharge Elimination System permit.

| | | | |
|-----------|-----------------------|-----------|---|
| PP | AF – Prep Plant | UL | Underground Mining - longwall |
| RF | AF - Refuse Disp | UR | Underground Mining - room and pillaring |
| RO | Reclaim only | UZ | Underground 0 Acreage |
| SA | Surface Mining – area | VP | AF -Ventilation Portal |

- 1.8 **Applicant/Company Information** - Include the name, mailing address, phone number, employer identification number, social security number (optional), DMLR code, AVS Entity number, fax number, email address and the preferred order of contact.
- 1.9 **Resident Agent Information** - List the name, mailing address, phone number, Resident Agent employer identification number, social security number (optional), DMLR code, AVS Entity number, fax number, and email address (if applicable).
- 1.10 **Operator Information** - List the existing operator’s company name, city, state, and phone number (**If adding an operator or changing an existing operator’s information, complete attachment 1.10**).
- 1.11 **Consulting Company Information** - List the consulting company’s name, mailing address, phone number, employer identification number, social security number (optional), DMLR code, AVS entity number, fax number, email address and the preferred order of contact.
- 1.12 **Correspondence Concerning Application** – Checkmark who, in addition to the applicant, is to be contacted concerning this application.
- 1.13 **Enforcement Action** - Is this application the result of an enforcement action by DMLR? If “Yes”, provide a description of the action as it pertains to this application including the NOV, CO and/or RON number.
- 1.14 **Remining** - Is this application being submitted pursuant to Lands Eligible for Remining? If “Yes”, enter total number of remining acres proposed to be permitted.
- 1.15 **Previous Permitting Actions** - List previous permitting actions associated with this permit number. (**Note: If submitted in the electronic version this information will automatically be provided by DMLR.**)
- 1.16 **Sections Proposed To Be Modified Under This Application** - Identify sections to be modified under this application. (For new applications enter All)
- 1.17 **Data Presented In This Application Prepared Or Provided As A Result Of A SOAP Grant** - If “Yes” and any of the data presented in the Application was prepared or provided as a result of a SOAP grant, identify those portions prepared under SOAP, reference DMLR-PT-106 application form, and include a copy of the SOAP grant.
- 1.18 **Waivers And Variances** - If “WAIVERS AND/OR VARIANCES” are being requested for any portion of the Proposed Permit area, indicate in the “Item Number” column the location of

the requested documentation and provide a brief description of the waivers and/or variances requested.

| ITEM # | WAIVERS/VARIANCES REQUESTED |
|---------|--|
| 10.7 | within 100 feet of the Right-of-Way of any Public Road. 4 VAC 25-130-761.11(d). |
| 10.8 | within 300 feet of any occupied dwelling not specifically exempted by 4 VAC 25-130-761.11(e). |
| 5.5 | ground water monitoring requirements. |
| 4.4 | chemical analysis of strata and/or coal. |
| 4.5 | geologic logs. |
| 4.4 (D) | engineering properties. |
| 20.4 | approximate original contour. 4 VAC 25-130-784.14 & 4 VAC 25-130-785.16 |
| 20.5 | contemporaneous reclamation. 4 VAC 25-130-780.18(d)(3) & 4 VAC 25-130-816.100 |
| 8.5 | within 100 feet of a Perennial or Intermittent Stream. 4 VAC 25-130-816.57 |
| 16.3 | within 500 feet of known Abandoned Underground Mine works. 4 VAC 25-130-816.79 |
| 16.3 | within 500 feet of Active Underground Mine Works. 4 VAC 25-130-816.79 |
| 12.7 | small area drainage. 4 VAC 25-130- 816.46(e) |

1.19 Valid Existing Rights - If “VALID EXISTING RIGHTS” are being claimed for any portion of the Proposed Permit area, indicate in the “Item Number” column the location of the documented evidence that substantiates this claim, per the definition of “VALID EXISTING RIGHTS” under **4 VAC 25-130-700.5** and provide a brief description of the valid existing rights being claimed.

Subject to VALID EXISTING RIGHTS, indicate whether or not any portion of the Proposed Permit area is:

| ITEM # | LOCATION OF PROPOSED OPERATION |
|--------|--|
| 7.8 | within any lands under study for designation as unsuitable for surface coal mining operations. |
| 7.8 | on any lands within the boundaries of the National Park System. |
| 7.8 | on any lands within the boundaries of the National Wildlife Refuge System. |
| 7.8 | on any lands within the boundaries of the National System of Trails. |
| 7.8 | on any lands within the boundaries of the National Wilderness Preservation System. |
| 7.8 | on any lands within the boundaries of the Wild and Scenic Rivers System, including “Study” rivers. |
| 7.8 | on any lands within the boundaries of any National Recreation Areas. |
| 7.8 | on any lands within the boundaries of any National Forest. |
| 7.8 | on any lands where mining will adversely affect any Publicly Owned Park or any place included in, or eligible to be included in, the National Register of Historic Places. (Note: If Yes to either or both of these, see 4 VAC 25-130-761.11(c) and include in the application package a copy of the Joint Approval by the Division and the Federal, State or local agency with jurisdiction over the Park or Place.) |

| | |
|------|---|
| 10.7 | within 100 feet of the Right-of-Way of any Public Road. |
| 10.8 | within 300 feet of any occupied dwelling not specifically exempted by 4 VAC 25-130-761.11(e). (a.) If Yes, list by number corresponding to the WSI ³ or Application Map(s), the Dwellings for which written WAIVERS have been obtained, and (b.) which dwellings are subject to a VALID EXISTING RIGHTS claim. |
| 10.1 | within 300 feet of any Public Building. |
| 10.1 | within 300 feet of any School. |
| 10.1 | within 300 feet of any Church. |
| 10.1 | within 300 feet of any Community or Institutional Building. |
| 10.1 | within 300 feet of any Public Park. |
| 10.1 | within 100 feet of a Cemetery. |

1.20 Other Contacts Required As A Result Of This Proposed Surface Mining Activity - If “Yes”, list other agency contacts required as a result of this proposed surface mining activity (utilize attachment 1.20).

1.21 Permittee Ownership and Control Information Current – If “Yes”, you are indicating that the ownership and control information for the permittee on file with DMLR is current. If “No”, provide a Permittee Information form (DMLR-PT-034p) if either the permittee is new or changes have been made.

1.22 Operator Ownership and Control Information Current - If “Yes”, you are indicating that the ownership and control information for the operator (s) on file with DMLR is current. If “No”, provide an Operator Information form (DMLR-PT-034o) if either the operator(s) is new or changes have been made.

County Administrators

Buchanan County

W. J. Caudill
P.O. Box 950
Grundy, VA 24614
276-935-6500

Carroll County

Ronald L. Newman
605-1 Pine St.
Hillsville, VA 24343
276-728-3331

Dickenson County

Keith L. Viers
P.O. Box 1098
Clintwood, VA 24228
276-926-1676

Lee County

D. Dane Poe
P.O. Box 367
Jonesville, VA 24263
276-346-7714

Montgomery County

Jeffrey D. Johnson
P.O. Box 6126
Christiansburg, VA 24068
276-382-6594

Pulaski County

Peter M. Huber
143 Third Street NW, Suite 1
Pulaski, VA 24301
276-980-7717

Russell County

James A. Gillespie
P.O. Box 1208
Lebanon, VA 24266
276-889-8000

Scott County

John Strutner
112 Water Street – Suite 1
Gate City, VA 24251
276-386-6521

Smyth County

Edwin B.J. Whitmore, III
121 Bagley Circle, Suite 100
Marion, VA 24354
276-783-3298

Tazewell County

Richard Farthing
315 School St. Box 2
Tazewell, VA 24651
276-988-7541

Washington County

Mark Reeter
205 Academy Drive
Abingdon, VA 24210-2635
276-676-6202

Wise County

Edward Sealover
P.O. Box 570
Wise, VA 24293
276-328-2321

Wythe County

Cellell Dalton
345 South Fourth St.
Wytheville, VA 24382
276-223-6020

Town and City Officials

Appalachia

Ben Cooper, Acting Town Manager
Ben Cooper, Mayor
P.O. Box 112
Appalachia, VA 24216
276-565-3900

Big Stone Gap

George R. Polly, Town Manager
Harold Kirk, Mayor
505 East Fifth Street South
Big Stone Gap, VA 24219
276-523-0115

Cleveland

No Town Manager
Kenneth Stevens, Mayor
P.O. Box 9
Cleveland, VA 24225
276-889-4365

Clintwood

Donald Baker, Town Manager
Donald Baker, Mayor
P.O. Box 456
Clintwood, VA 24228
276-926-8383

Coeburn

Terry Gibson, Town Manager
Harold Ringley, Mayor
P.O. Box 370
Coeburn, VA 24230
276-395-3323

Grundy

Chuck Crabtree, Town Manager
Harold Trivett, Mayor
P.O. Box 711
Grundy, VA 24614
276-935-2551

Haysi

Barbara Owens, Town Clerk
Norman Mullins, Mayor
P.O. Box 278
Haysi, VA 24256
276-865-5187

Honaker

No Town Manager
C.H. Wallis, Mayor
P.O. Box 746
Honaker, VA 24260
276-873-6556

Norton

Ernie Ward, City Manager
Robert Raines, Mayor
P.O. Box 618
Norton, VA 24273
276-679-1160

Pennington Gap

Mark J. Smith, Town Manager
Jimmy V. Smallwood, Mayor
131 Constitution Road
Pennington Gap, VA 24277
276-546-1177

Pocahontas

No Town Manager
Anita Brown, Mayor
P.O. Box 128
Pocahontas, VA 24635
276-945-5959

Pound

Bobby Dorton, Town Manager
Belva Bolling, Mayor
P.O. Box 880
Pound, VA 24279
276-796-5747

Richlands

Timothy Taylor, Town Manager
Kenneth Wysor, Mayor
217 Railroad Avenue
Richlands, VA 24641
276-964-2566

St. Charles

Sharon Kimberlin, Town Manager
Raymond Webb, Jr., Mayor
P.O. Box N
St. Charles, VA 24282
276-383-4545

St. Paul

No Town Manager
William Jack Kiser, Mayor
P.O. Box 66
St. Paul, VA 24283
276-762-5297

Wise

Beverly Owens, Town Manager
Clifton Carson, Mayor
P.O. Box 1100
Wise, VA 24293
276-328-6187

Planning Agency(s)

Mr. Andrew Chafin, Executive Director
Cumberland Plateau Planning District Commission
Post Office Box 548
Lebanon, Virginia 24266

Mr. Ron Flanary, Executive Director
LENOWISCO Planning District Commission
US 58-421 West
P.O. Box 366
Duffield, Virginia 24244

Mr. Thomas Taylor, Executive Director
Mount Rogers Planning District Commission
1021 Terrace Drive
Marion, VA 24354

Mr. David Rundgren, Executive Director
New River Planning District Commission
6580 Valley Center Drive, Box 21
Radford, VA 24141

Other Agencies

Virginia Dept. Of Environmental Quality
DEQ's Water Division
DEQ's Air Division
Southwest Virginia Regional Office
Post Office Box 1688
Abingdon, VA 24212-1688

Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

Mr. William B. Kittrell, Jr.
VA Dept. of Game & Inland Fisheries
Fisheries Division
1796 Highway Sixteen
Marion, VA 24354

U S Fish & Wildlife Service
Virginia Field Office
988 West Main Street
Abingdon, VA 24212
Attention: Gale Heffinger

Other Agencies(cont.)

U. S. Army Corp. of Engineers
Norfolk District
Annette Poore
Clinch Valley Field Office
Post Office Box 338
Abingdon, VA 24212

Mr. Jim Shiner
Operations and Readiness Division
John W. Flannagan Dam and Reservoir
Rt. 1 Box 268
Haysi, VA 24256-9736

Mine Safety & Health Administration
Mr. Ray McKinney
560 Park Avenue NW
Norton, VA 24273

**U.S. Environmental Protection
Agency Region III**
Mr. Daniel Sweeney
Environmental Engineer 3WM53
841 Chestnut Building
Philadelphia, PA 19107-4431

US Fish & Wildlife Service
Virginia Field Office
6669 Short Lane
Post Office Box 99
Gloucester, VA 23061

SECTION II - ADMINISTRATIVE INFORMATION

- 2.1 **Requested Permit Term** - Insert the number of years requested. If the requested permit term is in excess of 5 years, identify the supporting rationale required by **4 VAC 25-130-778.17(b)** as Attachment 2.1.
- 2.2 **Other Permits and Licenses Required As A Result Of This Permitting Action** - List all other Permits and Licenses needed to conduct surface coal mining activities at the proposed operation location. (MSHA, Division of Mines, etc.)
- 2.3 **AML Reclamation Fee Provider** - List the Name, Address, Telephone Number, Employee Identification Number and Social Security Number (optional) of one Person who will pay the AML Reclamation Fees.
- 2.4 **Type Bonding Plan Proposed** - Indicate the type of bonding method to be utilized.
Coal Surface Mining Reclamation Fund (**P**)
Cost Estimate (**C**)
- 2.5 **Liability Insurance** - The CERTIFICATES of liability insurance required by **45.1-258(E)** of the **Code of Virginia** and **4 VAC 25-130-778.18** (and rider) of the regulations, or evidence of Self-Insurance (per **4 VAC 25-130-800.60**), shall be provided. Include this information as Attachment 2.5 for either a new permit, permit renewal or significant departure. The expiration date of the insurance policy is to be defined in the block provided for any type application.
- 2.6 **Public Notice/Participation Process** - Provide the **Public Office Code** where a copy of this Application will be available and on file for public inspection. Enter the **Newspaper Code** in which the Public Notice will be advertised. (NOTE: A complete copy of the Application must be on file at the Public Office by the first publication date of the newspaper advertisement.) Include a copy of the **Proposed Public Notice** as Attachment 2.6.

| PUBLIC OFFICE CODES | | | | | |
|---------------------|---|--|------|-------------------------|--|
| Code | Location | | Code | Location | |
| 001 | Buchanan Co. Courthouse | | 006 | Russell Co. Courthouse | |
| 002 | Dickenson Co. Building Inspector's Office | | 007 | Scott Co. Courthouse | |
| 003 | DMME, Big Stone Gap | | 008 | Tazewell Co. Courthouse | |
| 004 | Lee Co. Courthouse | | 009 | Wise Co. Courthouse | |
| 005 | Montgomery County Planning Dept. | | | | |

| NEWSPAPER CODES | | | | | |
|-----------------|---|--|------|--|--|
| Code | Newspaper | | Code | Newspaper | |
| N01 | Bluefield Daily Telegraph | | N08 | Kingsport Times News | |
| N02 | Bristol Herald-Courier | | N09 | The Post (Big Stone Gap) | |
| N03 | Clinch Valley News (Tazewell) | | N10 | Powell Valley News (Pennington Gap) | |
| N04 | Clinch Valley Times (St. Paul) | | N11 | Richlands News Press | |
| N05 | Coalfield Progress (Norton) | | N12 | Scott County Virginia Star (Gate City) | |
| N06 | Cumberland Times/Dickenson Star (Clintwood) | | N13 | Tazewell County Free Press (Richlands) | |
| N07 | Lebanon News | | N14 | Virginia Mountaineer (Grundy) | |

2.7 Proof of Publication - Attach a copy of the newspaper ad and Affidavit as Attachment 2.7.



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

AFFIDAVIT

This is to certify that I, the undersigned, am the duly authorized representative of the following company, and I hereby certify that said company has paid all reclamation fees lawfully assessed it from the effective date of the **Federal Surface Mining Control and Reclamation Act of 1977** (herein "Federal Act") through the _____ Calendar quarter of 20____, as required by §402 of the Federal Act (30 U.S.C. §1232) .

This Affidavit is submitted to the Division of Mined Land Reclamation to satisfy the requirements for payment of reclamation fees pursuant to 4 VAC 25-130-773.15(c)(7) of the **Virginia Coal Surface Mining Reclamation Regulations**.

| | | | |
|----------------------------------|--|--------------|--|
| Company Name | | | |
| Authorized Representative | | Title | |
| Signature | | Date | |

NOTARIZATION:

Subscribed and sworn/affirmed to before me by _____ ,
this ____ day of _____ , 20____ , in the County/City of _____ .

| | | | |
|--------------------------------|--|--|--|
| Notary Public Signature | | My Commission Expires (Attach Seal) | |
|--------------------------------|--|--|--|

BASIC PUBLIC NOTICE FORMAT: (4 CONSECUTIVE WEEKS/30 DAY COMMENT)

EXAMPLE - Renewal Application

PUBLIC NOTICE
APPLICATION FOR RENEWAL OF
COAL SURFACE MINING/NPDES PERMIT NO. (Enter No.)
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

(NAME OF APPLICANT) of (BUSINESS ADDRESS) is applying to the Virginia Division of Mined land Reclamation for a Renewal of PERMIT No. (Enter No.), in order to continue the operations at the following location.

(INSERT A DESCRIPTION OR MAP WHICH SHALL)

1. Clearly show or describe the county(ies), town, river(s), stream(s), or other bodies of water, local landmarks, roads, or other information which will allow local residents to readily identify the proposed permit area.
2. Clearly show or describe the **exact location and boundaries** of the proposed permit area.
3. State the name of the U. S. Geological Survey 7.5 minute quadrangle map(s) which contain the proposed permit area.
4. If a map is utilized to show the proposed permit area, indicate the North point.

IF THE APPLICATION REQUESTS AN EXPERIMENTAL PRACTICE (4 VAC 25-130-785.13)

Include a paragraph which states that an experimental practice has been proposed, and identify the regulatory provisions for which a variance has been requested to accommodate the experimental practice.

IF THE OPERATION WILL RELOCATE, OR COME WITHIN ONE HUNDRED FEET OF THE OUTSIDE RIGHT-OF- WAY LINE OF ANY PUBLIC ROAD

Except for areas where mine access roads or haulage roads join the Right-of-Way line, include the following paragraph:

The proposed operation will (**RELOCATE**) (**COME WITHIN 100 FEET OF**) the following public road: (**As appropriate, provide a concise description of the public road, the portion to be relocated, the new location, and the duration of the relocation.**)

Drainage and waste water resulting from the permitted operation will be discharged as follows:

1. Name the receiving stream(s).
2. State the type of discharge.
3. Provide the location of the discharge(s) - brief description of each discharge location, location on the map (if used), and a statement as to whether the discharge is new or existing.

A copy of the application materials is available for public inspection and comment at the (**Designated Public Office** - not the DMLR office). A copy of the draft NPDES permit and fact sheet are available for public inspection and comment at the Division's Big Stone Gap office. Any person whose interests are or may be adversely affected by the Renewal application, or an Officer, or Head of any Federal, State, or local government agency or authority may within 30 days of (**DATE OF 4TH PUBLICATION**) submit written comments or objections to the Division of Mined Land Reclamation concerning the renewal application; and may also request, in writing, that the Division hold an Informal Conference concerning the application. A request for an informal conference shall follow the requirements of 4 VAC 25-130-773.13c of the **Virginia Coal Surface Mining Reclamation Regulations**.

All correspondence concerning the application should be submitted to the Division of Mined Land Reclamation, P. O. Drawer 900, Big Stone Gap, Virginia 24219, Telephone: (276) 523-8202 Attn.: Permit Section. Written comments and a request for nformal conference may be e-mailed to the Division at <mailto:dmlrpublicnotice@dmme.virginia.gov>.

BASIC PUBLIC NOTICE FORMAT: (4 CONSECUTIVE WEEKS/30 DAY COMMENT)

EXAMPLE - Permit Application

PUBLIC NOTICE
APPLICATION FOR
COAL SURFACE MINING/NPDES PERMIT
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER:

(NAME OF APPLICANT) OF (BUSINESS ADDRESS) IS APPLYING TO THE VIRGINIA DIVISION OF MINED LAND RECLAMATION FOR A PERMIT TO CONDUCT COAL SURFACE MINING AND RECLAMATION OPERATIONS AT THE FOLLOWING LOCATION:

| | |
|---|--|
| (INSERT A DESCRIPTION OR MAP WHICH SHALL:) | |
| 1. | Clearly show or describe the county(ies), town, river(s), stream(s), or other bodies of water, local landmarks, roads, or other information which will allow local residents to readily identify the proposed permit area. |
| 2. | Clearly show or describe the exact location and boundaries of the proposed permit area. |
| 3. | State the name of the U.S. Geological Survey 7.5 minute quadrangle map(s) which contain the proposed permit area. |
| 4. | If a map is utilized to show the proposed permit area, indicate the North point. |

| |
|--|
| IF THE APPLICATION REQUESTS AN EXPERIMENTAL PRACTICE (4 VAC 25-130.785.13) |
| Include a paragraph which states that an experimental practice has been proposed, and identify the regulatory provisions for which a variance has been requested to accommodate the experimental practice. |

| |
|--|
| IF THE OPERATION WILL RELOCATE, OR COME WITHIN ONE HUNDRED FEET OF THE OUTSIDE RIGHT-OF-WAY LINE OF ANY PUBLIC ROAD |
| Except for areas where mine access roads or haulage roads join the Right-of-Way line, include the following paragraph: The proposed operation will (RELOCATE) (COME WITHIN 100 FEET OF) the following public road: (As appropriate, provide a concise description of the public road, the portion to be relocated, the new location, and the duration of the relocation.) |

Drainage and waste water resulting from the permitted operation will be discharged as follows:

| | |
|----|--|
| 1. | Name the receiving stream(s). |
| 2. | State the type of discharge. |
| 3. | Provide the location of the discharge(s) - brief description of each discharge location , location on the map (if used), and a statement as to whether the discharge is new or existing. |

A copy of the application materials is available for public inspection and comment at the **(Designated Public Office)**. A copy of the draft NPDES permit and fact sheet are available for public inspection and comment at the Division's Big Stone Gap office. Any person whose interests are or may be adversely affected by the proposed operation, or an Officer, or Head of any Federal, State, or local government agency or authority may within 30 days of **(DATE OF 4TH PUBLICATION)** submit written comments or objections to the Division of Mined Land Reclamation concerning the proposed operation (and may also request, in writing, that the Division hold an Informal Conference concerning the application. A request for an informal conference shall follow the requirements of 4 VAC 25-130-773.13(c) of the **Virginia Coal Surface Mining Reclamation Regulations**.

All correspondence concerning the application should be submitted to the Division of Mined Land Reclamation, P.O. Drawer 900, Big Stone Gap, Virginia 24219, Telephone: (276) 523-8202 Attn: Permit Section. Written comments and a request for informal conference may be e-mailed to the Division at dmlrpublicnotice@dmme.virginia.gov.

BASIC PUBLIC NOTICE FORMAT: (1 WEEK/30 DAY COMMENT)

EXAMPLE - Renewal of NPDES Permit - ONLY

PUBLIC NOTICE
APPLICATION FOR
RENEWAL OF NPDES PERMIT NO. (Enter No.)
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

(**NAME OF APPLICANT**) of (**BUSINESS ADDRESS**) is applying for Renewal of the National Pollutant Discharge Elimination System (NPDES) PERMIT No. (**Enter No.**).

| |
|--|
| (INSERT A DESCRIPTION OR MAP WHICH SHALL) |
| 1. Clearly show or describe the county(ies), town, river(s), stream(s), or other bodies of water, local landmarks, roads, or other information which will allow local residents to readily identify the proposed site. |
| 2. Clearly show or describe the exact location and boundaries of the proposed discharge site(s). |
| 3. State the name of the U. S. Geological Survey 7.5 minute quadrangle map(s) which contain the proposed discharge area(s). |
| 4. If a map is utilized to show the discharge area(s), indicate the North point. |

Drainage will be discharged as follows:

| |
|---|
| 1. Name the receiving stream(s). |
| 2. State the type of discharge. |
| 3. Provide the location of the discharge(s) - brief description of each discharge location, location on the map (if used), and a statement as to whether the discharge is new or existing. |

A copy of the application materials is available for public inspection and comment at the Division of Mined Land Reclamation's office). A copy of the draft NPDES permit and fact sheet are available for public inspection and comment at the Division's Big Stone Gap office. Any person whose interests are or may be adversely affected by the Renewal application, or an Officer, or Head of any Federal, State, or local government agency or authority may within 30 days of (**DATE OF PUBLICATION**) submit written comments or objections to the Division of Mined Land Reclamation concerning the Renewal application; and may also request, in writing, that the Division hold an Informal Conference concerning the application. A request for an informal conference shall follow the requirements of 4 VAC 25-130-773.13c of the **Virginia Coal Surface Mining Reclamation Regulations**.

All correspondence concerning the application should be submitted to the Division of Mined Land Reclamation, P. O. Drawer 900, Big Stone Gap, Virginia 24219, Telephone: (276) 523-8202, Attn.: Permit Section. Written comments and a request for informal conference may be e-mailed to the Division at dmlrpublicnotice@dmme.virginia.gov.

BASIC PUBLIC NOTICE FORMAT: (1 WEEK/30 DAY COMMENT)

EXAMPLE - Revision to NPDES Permit

PUBLIC NOTICE
APPLICATION FOR
REVISION TO NPDES PERMIT NO. (**Enter No.**)
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

(**NAME OF APPLICANT**) of (**BUSINESS ADDRESS**) is applying for a Revision to the National Pollutant Discharge Elimination System (NPDES) PERMIT No. (**Enter No.**), in order to add additional NPDES discharge monitoring point(s) at the following location(s):

| |
|--|
| (INSERT A DESCRIPTION OR MAP WHICH SHALL) |
| 1. Clearly show or describe the county(ies), town, river(s), stream(s), or other bodies of water, local landmarks, roads, or other information which will allow local residents to readily identify the proposed site. |
| 2. Clearly show or describe the exact location and boundaries of the proposed discharge site(s). |
| 3. State the name of the U. S. Geological Survey 7.5 minute quadrangle map(s) which contain the proposed discharge area(s). |
| 4. If a map is utilized to show the discharge area(s), indicate the North point. |

Drainage will be discharged as follows:

| |
|--|
| 1. Name the receiving stream(s). |
| 2. State the type of discharge. |
| 3. Provide the location of the discharge(s) - brief description of each discharge location, location on the map (if used), and a statement as to whether the discharge is new or existing. |

A copy of the application materials is available for public inspection and comment at the Division of Mined Land Reclamation's office). A copy of the draft NPDES permit and fact sheet are available for public inspection and comment at the Division's Big Stone Gap office. Any person whose interests are or may be adversely affected by the proposed revision, or an Officer, or Head of any Federal, State, or local government agency or authority may within 30 days of (**DATE OF PUBLICATION**) submit written comments or objections to the Division of Mined Land Reclamation concerning the proposed revision; and may also request, in writing, that the Division hold an Informal Conference concerning the application. A request for an informal conference shall follow the requirements of 4 VAC 25-130-773.13c of the **Virginia Coal Surface Mining Reclamation Regulations**.

All correspondence concerning the application should be submitted to the Division of Mined Land Reclamation, P. O. Drawer 900, Big Stone Gap, Virginia 24219, Telephone: (276) 523-8202 Attn.: Permit Section. Written comments and a request for informal conference may be e-mailed to the Division at dmlrpublicnotice@dmme.virginia.gov .

BASIC PUBLIC NOTICE FORMAT: (4 CONSECUTIVE WEEKS/30 DAY COMMENT)

EXAMPLE - Revision (Significant) Application

PUBLIC NOTICE
APPLICATION FOR REVISION TO
COAL SURFACE MINING/NPDES PERMIT NO. (Enter No.)
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

(NAME OF APPLICANT) of (BUSINESS ADDRESS) is applying to the Virginia Division of Mined land Reclamation for a Revision of PERMIT No. (Enter No.).

The **Revision** concerns: (**Insert brief description of the revision.**)

(INSERT A DESCRIPTION OR MAP WHICH SHALL)

1. Clearly show or describe the county(ies), town, river(s), stream(s), or other bodies of water, local landmarks, roads, or other information which will allow local residents to readily identify the proposed permit area.
2. Clearly show or describe the **exact location and boundaries** of the proposed permit area.
3. State the name of the U. S. Geological Survey 7.5 minute quadrangle map(s) which contain the proposed permit area.
4. If a map is utilized to show the proposed permit area, indicate the North point.

IF THE APPLICATION REQUESTS AN EXPERIMENTAL PRACTICE (4 VAC 25-130-785.13)

Include a paragraph which states that an experimental practice has been proposed, and identify the regulatory provisions for which a variance has been requested to accommodate the experimental practice.

IF THE OPERATION WILL RELOCATE, OR COME WITHIN ONE HUNDRED FEET OF THE OUTSIDE RIGHT-OF- WAY LINE OF ANY PUBLIC ROAD

Except for areas where mine access roads or haulage roads join the Right-of-Way line, include the following paragraph:

The proposed operation will (**RELOCATE**) (**COME WITHIN 100 FEET OF**) the following public road: (**As appropriate, provide a concise description of the public road, the portion to be relocated, the new location, and the duration of the relocation.**)

Drainage and waste water resulting from the permitted operation will be discharged as follows:

1. Name the receiving stream(s).
2. State the type of discharge.
3. Provide the location of the discharge(s) - brief description of each discharge location, location on the map (if used), and a statement as to whether the discharge is new or existing.

A copy of the application materials is available for public inspection and comment at the (**Designated Public Office** - not the DMLR office). A copy of the draft NPDES permit and fact sheet are available for public inspection and comment at the Division's Big Stone Gap office. Any person whose interests are or may be adversely affected by the proposed revision, or an Officer, or Head of any Federal, State, or local government agency or authority may within 30 days of (**DATE OF 4TH PUBLICATION**) submit written comments or objections to the Division of Mined Land Reclamation concerning the proposed revision; and may also request, in writing, that the Division hold an Informal Conference concerning the application. A request for an informal conference shall follow the requirements of 4 VAC 25-130-773.13c of the **Virginia Coal Surface Mining Reclamation Regulations**.

All correspondence concerning the application should be submitted to the Division of Mined Land Reclamation, P. O. Drawer 900, Big Stone Gap, Virginia 24219, Telephone: (276) 523-8202, Attn: Permit Section. Written comments and a request for informal conference may be e-mailed to the Division at dmlrpublicnotice@dmme.virginia.gov.

BASIC PUBLIC NOTICE FORMAT (1 week/14 day comment)

EXAMPLE - Revision Application - 761.12(d) - Operation Within 100 feet of Public Road

PUBLIC NOTICE
APPLICATION FOR REVISION OF
COAL SURFACE MINING/NPDES PERMIT No.
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

Pursuant to 4 VAC 25-130-761.12(d) of the **Virginia Coal Surface Mining Reclamation Regulations**,
_____**(Company Name and Business Address)**_____ is applying for Revision of Permit Number _____ located
in _____ County _____**(Precise Location)**_____ to conduct coal surface mining and
reclamation operations within 100 feet, measured horizontally, of the outside right of way line of **(Identify the
specific public road)** .

A copy of the revision application materials is available for public inspection and comment at the Division of
Mined Land Reclamation's office. Any person whose interests are or may be adversely affected by the proposed
revision, or an Officer, or Head of any Federal, State, or local government agency or authority may within 14 days of
(DATE OF PUBLICATION) submit written comments or objections to the Division of Mined Land Reclamation
concerning the proposed revision; and may also request, in writing, that the Division hold an Informal Conference
concerning the application. A request for an informal conference shall follow the requirements of 4 VAC 25-130-
773.13(c) of the **Virginia Coal Surface Mining Reclamation Regulations**.

All correspondence concerning the application should be submitted to the Division of Mined Land
Reclamation, P. O. Drawer 900, Big Stone Gap, Virginia 24219, Telephone: (276) 523-8202 - Attn.: Permit Section.
Written comments and a request for informal conference may be e-mailed to the Division at
<mailto:dmlrpublicnotice@dmme.virginia.gov>.

BASIC PUBLIC NOTICE FORMAT (2 week/30 day comment from initial publication)

EXAMPLE - Revision Application - Change of Operator/Contractor

PUBLIC NOTICE

APPLICATION FOR REVISION OF
COAL SURFACE MINING/NPDES PERMIT NO. **(Enter No.)**
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

_____ **(Company Name and Business Address)** is applying for Revision of Permit Number _____ located in _____ County **(Precise Location)** as provided by 4 VAC 25-130-774.13 of the **Virginia Coal Surface Mining Reclamation Regulations** to assign certain permit rights to **(Name of Contractor and Business Address)**.

Any person with a valid legal interest which might be adversely affected by this application to revise the aforementioned permit, may within 30 days of **(Date of the initial Publication)** submit written comments concerning the application to the Division of Mined Land Reclamation. All correspondence concerning the application should be submitted to the attention of the Division of Mined Land Reclamation's Permit Section at Post Office Drawer 900; Big Stone Gap, Virginia 24219. Written Comments may be e-mailed to the Division at dmlrpublicnotice@dmme.virginia.gov.

Questions concerning the application review process may be directed to the Permit Section at (276) 523-8202.

BASIC PUBLIC NOTICE FORMAT (1 week/30 day comment)

EXAMPLE - Transfer, Assignment, Sale of Permit Rights - Application

PUBLIC NOTICE
APPLICATION FOR TRANSFER,
ASSIGNMENT, OR SALE OF PERMIT RIGHTS
UNDER CHAPTER 19, TITLE 45.1 OF THE CODE OF VIRGINIA

PUBLICATION NUMBER: _____

_____**(Company Name and Business Address)**_____ is applying for the transfer, assignment, or sale of the permit rights of **(Current Permittee and Business Address)**_____ concerning Permit No. _____ located in _____ County **(Precise Location)**_____ as provided by 4 VAC 25-130-774.17 of the **Virginia Coal Surface Mining Reclamation Regulations.**

A copy of the draft NPDES permit and fact sheet are available for public inspection and comment at the Division's Big Stone Gap office. Any person with a valid legal interest which might be adversely affected by this application to transfer, assign, or sell the permit rights of the aforementioned permit, may within 30 days of **(Date of Publication)** submit written comments concerning the application to the Division of Mined Land Reclamation. All correspondence concerning the application should be submitted to the attention of the Division of Mined Land Reclamation's Permit Section at Post Office Drawer 900; Big Stone Gap, Virginia 24219. Written comments may be e-mailed to the Division at dmlrpublicnotice@dmme.virginia.gov.

Questions concerning the application review process may be directed to the Permit Section at (276) 523-8202.

SECTION III - SITE INFORMATION

- 3.1 **Surface Property** - List the Name and Complete Mailing Address of each Legal or Equitable Owner on record of the surface property within the Proposed Permit area. **Indicate whether the owner is being added (A = new owner), changed (C = owner and/or address update), or deleted (D = owner no longer associated with the permit).**
- 3.2 **Mineral Property** - List the Name and Complete Mailing Address of each Legal or Equitable Owner on record of the mineral property to be mined under the Proposed Permit. **Indicate whether the owner is being added (A = new owner), changed (C = owner and/or address update), or deleted (D = owner no longer associated with the permit).**
- 3.3 **Leasehold Interest** - List the Name and Complete Mailing Address of each Holder of Record of any Leasehold Interest in property (both surface and mineral) within the Proposed Permit area. **Indicate whether the leaseholder(s) is being added (A = new owner), changed (C = owner and/or address update), or deleted (D = owner no longer associated with the permit).**
- 3.4 **Purchaser of Record** - List the Name and Complete Mailing Address of any Purchaser of Record under a Real Estate contract for the property (both surface and mineral) within the Proposed Permit area. **Indicate whether the purchaser(s) is being added (A = new owner), changed (C = owner and/or address update), or deleted (D = owner no longer associated with the permit).**
- 3.5 **Contiguous Surface Property** - List the Name and Complete Mailing Address of each Owner of Record of all surface property contiguous to any part of the Proposed Permit area. **Indicate whether the owner is being added (A = new owner), changed (C = owner and/or address update), or deleted (D = owner no longer associated with the permit).**
- 3.6 **Contiguous Mineral Property** - List the Name and Complete Mailing Address of each Owner of Record of all mineral property contiguous to any part of the Proposed Permit area. **Indicate whether the owner is being added (A = new owner), changed (C = owner and/or address update), or deleted (D = owner no longer associated with the permit).**
- 3.7 **Interest in Contiguous Property** - If the Applicant has any interest in lands (ownership, option, or pending bids) contiguous to any portion of the proposed permit area, mark "Y" in the block.
- 3.8 **Right of Entry** - For each surface and mineral tract to be disturbed by the surface (including augering) and/or underground operations (as listed in items 3.1 and 3.2), provide a description and location of the documents (deed, lease, contract, date of execution, etc.) upon which the Applicant bases the legal Right to Enter and conduct surface coal mining and reclamation activities on the proposed permit area.
- 3.9 **Pending Litigation** - Indicate whether any Rights claimed in item #3.8 are the subject of any pending litigation. If yes, provide information as to who is involved, what court, and court date.
- 3.10 **Severed Estates** - If "Yes", you have indicated that the surface and mineral estates are severed on one or more tracts of land within the Proposed Permit area. Include right of entry documentation for each tract for which severance exists: **(Note: Stipulating that a verbal agreement is in effect is not acceptable. Written consent or a copy of the conveyance/documentation must be included.)**
- (A) Copy of the written consent of the Surface Owner(s) which specifically consents to the extraction of coal by surface mining (including augering) methods, and the Right of Entry for ancillary activities,

on said property. (Reference the location of notarized (with original signatures) consent in the Application package.)

- (B) Copy of the conveyance, executed by the Surface Property Owner(s) and the Applicant, that expressly grants or reserves the rights to extract coal by surface mining methods and the Right of Entry for ancillary activities. If the conveyance does not expressly grant the right to extract coal by surface mining methods, provide the location in the Application package of the documentation that under State law demonstrates or verifies that the Applicant has the legal authority to extract coal by those methods and has the Right of Entry.

3.11 **Location of Operation** - Provide the VA State Plane Northing and Easting Coordinates; USGS Quadrangle(s); County; Nearest Community; and Nearest Public Road Intersection.

3.12 **Proposed Acreage** - Provide a summary of acreage that is proposed to be permitted by this operation. Use the following County Codes:

| COUNTY, TOWN, AND CITY CODES | | | | | | |
|------------------------------|-----------|--|-----------|---------------|--|-----------|
| FIPS Code | County | | FIPS Code | Town/City | | FIPS Code |
| 027 | Buchanan | | 300 | Abingdon | | 387 |
| 051 | Dickenson | | 305 | Appalachia | | 401 |
| 105 | Lee | | 310 | Big Stone Gap | | 720 |
| 155 | Pulaski | | 314 | Bluefield | | 432 |
| 167 | Russell | | 491 | Castlewood | | 434 |
| 169 | Scott | | 329 | Cedar Bluff | | 436 |
| 185 | Tazewell | | 339 | Cleveland | | 442 |
| 195 | Wise | | 490 | Clinchco | | 447 |
| | | | 342 | Clintwood | | 448 |
| | | | 344 | Coeburn | | 465 |
| | | | 378 | Grundy | | 486 |
| | | | 383 | Haysi | | |

3.13 **Relinquishments** – If “Yes”, provide DMLR-PT-027 and applicable maps for areas being relinquished from other permitted sites and application numbers for corresponding revisions being done to the other permitted sites (Note: If an entire permit is being relinquished the map is not required).



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

REQUEST FOR RELINQUISHMENT

As the duly authorized representative of _____ (Permittee), I hereby relinquish the Permittee's rights under Coal Surface Mining Operations (CSMO) Permit Number _____ for _____ acres located _____.

Upon the Division's approval, this acreage is to be permitted to _____ (under Permit Application or CSMO Permit Number _____).

Signed this ____ day of _____, 20 ____.

By:

(Signature)

(Print Name and Position with the Company)

For:

(Company Name)

NOTARIZATION:

Subscribed and sworn or affirmed to before me by _____, this ____ day of _____, 20 __, in the City/County of _____.

(SEAL)

(Notary Public)

My Commission expires _____, 20 ____.

- 3.14 **Mineral Controller** – If answered “Yes”, list the name, employer identification number, and complete mailing address of each person owning and controlling coal to be mined by the applicant under a lease, sublease, or other contract and having the right to receive such coal after mining or having authority to determine the manner in which the applicant conducts the mining operation.

SECTION IV - GEOLOGY

- 4.1 **Seam(s) To Be Mined** - Provide the local name, geological name, elevation and thickness of each seam being mined and proposed to be added.
- 4.2 **Location(s) Of Geologic Data Sampling Points** - List the action (A = add, C = change), location number, elevation, VA State Plane Northing and Easting Coordinates for all geologic sampling points. Please correlate all geologic sampling point locations to the appropriate map(s).
- 4.3 **Geologic Description** - Describe the local stratigraphic and structural conditions including observable or inferred faulting, the general orientation and intensity of fractures, joints, etc. within the permit and adjacent areas.

A. Provide geologic cross sections that include:

- (1) Lithologic characteristics of each stratum; and
- (2) Depth and thickness of each stratum.

B. Identify the locations of test borings, core samplings and outcrop samples, coal outcrop lines and the strike and dip (structure contours if available) of the coal to be mined within the proposed permit area on the appropriate map.

C. Provide geologic logs of test borings and coreholes in the proposed permit and adjacent area which include:

- (1) Detailed lithologic characteristics, physical properties, and thickness of each stratum; and
- (2) Location of ground water where occurring.

Geologic log information and the occurrence of ground water should be shown on the "Stratigraphic Data Sheet" form as Attachment 4.3.

4.4 **Physical Property Description/Chemical Analysis for Each Stratum** -

Physical Property Description for each Stratum - Based on visual observation, include a physical property description for each stratum shown on the geologic cross-section(s), with description correlated to the cross-section(s). Assign a unit identification number which will correlate each stratum to the geologic cross-section(s) and stratigraphic data sheet(s). Descriptive physical information must be shown on the stratigraphic data sheet(s).

- (A) Identify those strata to be used to construct underdrains and durable rock fills on the stratigraphic data sheets and the geologic cross sections.
- (B) Identify the stratum immediately below the lowest coal seam to be mined; and any aquifer below the lowest coal seam to be mined which may be adversely impacted. A description of the lithology, including thickness, must be included down to the aquifer.
- (C) For lands within the permit and adjacent areas where strata above the coal seam will not be removed, the description of each stratum on the geologic cross-section must include thickness and physical

properties sufficiently detailed to prepare the subsidence control plan and to assess the potential for impacts to the hydrologic balance.

- (D) For underground mines, using standard room and pillar mining operations, submit the thickness and engineering properties of clays or soft rock such as clay shale, if any, in the stratum immediately above and below each coal seam to be mined. If a subsidence control plan (item 18.3) is not required, then the applicant may request a waiver.

Chemical Analyses of Strata - Submit chemical analyses, using the stratigraphic data sheet identifying those strata that may contain acid- or toxic-forming or alkalinity-producing materials and determine their content. List pH, total sulfur, pyritic sulfur, maximum potential acidity, neutralization potential and excess acidity or neutralizer. Express acid-base results in tons of CaCO equivalent per 1000 tons of material. Correlate all lithologic unit numbers to geologic cross-section(s) and stratigraphic data sheet(s). Lithologic units with more than one sample interval or composite samples must be clearly identified.

The analyses should include, at a minimum:

- (A) Analyses for acid-base samples taken from the stratum immediately overlying and underlying the coal seam and from each stratum to be disturbed within the permit area. Acid-base analyses will also be required for strata below the lowest coal seam to be mined where an aquifer may be adversely impacted. Sampling must represent vertical and lateral changes in the strata within the proposed permit area.
- (1) For existing highwalls that will not be redisturbed, include acid-base analysis results from a composite sample of the overburden spoil.
 - (2) For refuse or waste rock disposal areas which receive material from multiple mine-sites, or receive coal processing waste, include (1) acid-base analyses results from a composite of the refuse and for material to be used in the underdrain(s) and (2) a quarterly acid-base monitoring plan in Section 15.1.
- (B) Analyses for acid- or toxic-forming materials, including the total sulfur and pyritic sulfur, for each coal seam to be disturbed.

All samplings and analyses must be conducted in accordance with the methodology in FIELD AND LABORATORY METHODS APPLICABLE TO OVERBURDEN OR MINE SOILS, EPA 600/2-78-054 or equivalent analytical procedures approved by the Division. Samples for analysis must be collected from test borings, drill cores, or fresh, unweathered, uncontaminated samples from rock outcrops.

4.5 Alternate Proposal, Variance, and Waiver Request - Address the following if the applicant is requesting a variance, waiver, or is presenting any alternate proposals to any geology requirements of this section:

- (A) Waiver/variance request narrative;
- (B) Proposed alternative discussion;
- (C) Justification and supporting data;
- (D) Alternative data available for public review, and;
- (E) Data collected from the permit and adjacent area for correlation to alternate data.

Geologic Stratigraphic Data Sheet (GSD-034D) – Item #4.3

| | |
|-----------|------------------------|
| APPLICANT | Application/Permit No. |
|-----------|------------------------|

7.5' Quadrangle

Location: _____ Surface Elevation (in decimal feet): _____

Method used to determine elevation:

☐ estimated from topographic map; ☐ transit; ☐ hand level;

☐ barometer; ☐ other (specify: _____)

Weatherings: ☐ fresh; ☐ slightly weathered; ☐ weathered; ☐ highly weathered; ☐ bloom; ☐ clinkered

County Location:

Local Strike and Dip:

Total depth Logged (in decimal feet):

Date drilled or logged:

Type of Section: ☐ corehole; ☐ rotary hole;☐ highwall; ☐ outcrop; ☐ other (specify: _____)Well or section identifier (as on
geologic map or cross section(s)).[illegible]¹ Express in decimal feet.²Total or pyritic.

³ To nearest 10th

⁴In tons/1,000 pounds of CaCO₃ (to nearest 100th)

SECTION V - HYDROLOGY

- 5.1 **Receiving Stream(s)** - List the Receiving Stream(s) into which drainage will discharge.
- 5.2 **Proposed Permit Area Located Within The Watershed Of Any Corps of Engineers Project** - Indicate whether any portion of the proposed permit area is located within the watershed of any Corps of Engineers project. If “Yes”, identify the project.
- 5.3 **Location(s) of Ground Water Monitoring Points** - Provide the *Action (A = add, C = change, D = delete), MPID Number, Location Numbers, Type, Frequency, and Elevation for the ground water monitoring points listed. Correlate all location numbers to the appropriate map(s), cross section(s), and construction data sheets. Type well numbers with “**W**”; springs with “**SP**”; mine discharges with “**MD**”; piezometers with “**P**”; lysimeters with “**LY**”; and underdrains with “**UD**”. Indicate if any monitoring points are existing for other permits. The standard frequency (based upon the total number of samples per quarter) for groundwater monitoring is 6 (2 per month, minimum 7 days apart). If any other frequency is proposed by the applicant, supporting justification must be included.*If the Action is either Add or Change, complete attachment 5.3.
- 5.4 **Ground Water Inventory and Well Construction Data** - Provide the results of a ground water supply inventory for residential, commercial, industrial, municipal and recreational use. The survey must encompass all water supplies developed within a minimum one-half mile radius of the proposed permit boundaries and any potentially impacted supplies in the adjacent areas, including all potentially affected water supplies above the Applicant’s proposed underground mining operations. The applicant must use the water supply inventory form (WSI-034D) as attachment 5.4 in completing the inventory. Attach well construction data sheets (form WCD-034D) for existing wells or those wells constructed for ground water baseline collection.
- 5.5 **Ground Water Baseline Monitoring** - Describe the Baseline Monitoring Program used to determine ground water occurrence and seasonal variation in ground water baseline quality and quantity. Provide a completed ground water baseline data summary (form GWB-034D) covering seasonal variations for each baseline monitoring point. List the location number, elevation, VA State Plane Northing and Easting coordinates for all ground water baseline monitoring points on the chart (form GDM-034D). Type all well numbers with “**W**”, spring numbers with “**SP**”, piezometer with “**P**” and mine discharges with “**MD**”. Use discharge number with the appropriate preface when applicable. If the baseline monitoring point is proposed to be used as a ground water monitoring point under the ground water monitoring plan, utilize the same number used in the plan. Please correlate all monitoring points with the appropriate maps or cross sections.

DISCHARGE MEASUREMENTS - Using form GDM-034D, report the **Flow Quantity** (in gallons per minute) under seasonal conditions for springs and mine discharges within the overlying adjacent area. Report to the **nearest tenth of a gallon**. List the location number for each point beside the appropriate data column. Use “**SP**” to denote a Spring and “**MD**” for a Mine Discharge. Use the **NPDES** number with the appropriate preface when applicable.

Existing Water Quality Conditions - Describe any EXISTING WATER QUALITY CONDITIONS that are present and which may impact the proposed permit area, including how these conditions were determined. Include or reference monitoring data for this determination.

- 5.6 **Ground Water Monitoring Plan** - Describe the proposed Ground Water Monitoring Plan to monitor the effects of the proposed mining within the permit and adjacent areas, based on the PHC determination and the Hydrologic Reclamation Plan. Discuss how the monitoring data will be used to determine the impacts of the operation upon the hydrologic balance. Describe in detail any natural or man made site conditions which will or may influence the ground water monitoring plan. Utilize form DMLR-PT-101 to submit results.

5.7 Location(s) of Surface Water Monitoring Points - Provide the *Action (A = add, C = change, D = delete), MPID Number, Location Numbers, Type, Frequency and Receiving Stream for the surface water monitoring points listed. Correlate all location numbers to the appropriate map(s) and cross section(s). Indicate if any monitoring points are existing for other permits. The standard frequency (based upon the total number of samples per quarter) for surface water (instream) monitoring is 3 (1 per month). If any other frequency is proposed by the applicant, supporting justification must be included. *If the action is either Add or Change, complete attachment 5.7.

5.8 Surface Water Inventory - Provide the results of a surface water supply inventory for residential, commercial, industrial, municipal and recreational use. The survey must encompass all water supplies developed within a minimum one-half mile radius of the proposed permit boundaries and any potentially impacted supplies in the adjacent areas. In the case of disturbances in the flood plain, include all water supplies in the downstream flood plain for a distance of one-half mile and 1000 feet in the upstream flood plain. The applicant must use the water supply inventory (form WSI-034D) as Attachment 5.8 in completing the inventory. Provide the NAME, LOCATION, OWNERSHIP and a description of all surface water bodies, such as streams, lakes, ponds, and impoundments, and the location of any discharge into any surface water body in the proposed permit and adjacent areas.

Surface Water Supplies - Identify any SURFACE WATER SUPPLY currently being used which may be affected by CONTAMINATION, DIMINUTION, or INTERRUPTION.

Existing Water Quality Problems - Describe any EXISTING WATER QUALITY CONDITIONS that are present and which may impact the proposed permit area, including how these problems were determined. Include or reference monitoring data for this determination.

5.9 Surface Water Baseline Monitoring - List the surface water baseline monitoring points (form SWB-034D) which were established to determine the PRE-MINING surface hydrology conditions. Identify the monitoring point location numbers located at each surface water body that is potentially impacted or into which water will be discharged, and at upstream monitoring locations. Use “B” as a Prefix for each point. Please correlate all monitoring points with the appropriate map.

Identify by location number and location description each surface water baseline monitoring point and include a discussion regarding how each MONITORING POINT may provide data relevant to the Permit and adjacent areas.

Provide analyses of the SURFACE WATER QUALITY and QUANTITY sufficient to demonstrate seasonal variation for each monitoring point (SWB-034D form). The data summary must include Station Description and Method of Flow determination.

5.10 Surface Water Monitoring Plan – Identify the Monitoring Lab and Person(s) Signing DMR and provide a surface water monitoring plan based on the PHC determination and Hydrologic Reclamation Plan, NPDES requirements, baseline hydrologic data, geologic information, and any other information contained in the Application which will monitor the effects of the proposed mining operation on the receiving stream(s). This requirement may be applicable in addition to the NPDES monitoring program. Provide discussion of the sampling frequency and parameters to be monitored and how data will be used to determine the impacts of the mining operation on the hydrologic balance. Utilize form DMLR-PT-210 to submit results.

5.11 Climatological Baseline Monitoring - 4 VAC 25-130-783.18 & 4 VAC 25-130-778.18 - When requested by the Division, the application shall contain a statement of the climatological factors that are representative of the proposed locality of the permit area, including:

(1) The average seasonal precipitation;

- (2) The average direction and velocity of prevailing winds; and
- (3) Seasonal temperature ranges.

- (a) The Division may request such additional data as deemed necessary.
This information is to be provided only when requested by the Division (form RFB-034D).

5.12 Climatological Monitoring Plan - 4 VAC 25-130-783.18 & 4 VAC 25-130-779.18 - Provide rainfall monitoring plan to monitor the effects of climatological changes within the permit and adjacent areas. Include the *Action (A = add, C = change, D = delete), MPID Number, Location Number and a narrative description that addresses the location of the gauge(s) in relation to the proposed permit (distance and direction noted); the latitude and longitude of the gauge(s) used; type of gauge(s) used; and, reporting format and frequency. Discuss how the monitoring data will be used to determine the impacts of climatological events within the operation upon the hydrologic balance (Form DMLR-PT-102). *If the action is either Add or Change, complete attachment 5.15.

5.13 Reference Data -

Literature - If the source of data was from **published literature** - indicate the source, date, and title of the report, article or text. **Unpublished data** reference the source, date, title, and note designate the material as “unpublished” or “open file”. All literature, unpublished data, and open file data must be referenced to the proposed permit area, affected area, and adjacent area with a descriptive identification of its application to those specific areas.

Modeling - To establish baseline hydrologic conditions, particularly in the absence of an extensive or a complete data base, an applicant may use modeling techniques, interpolation, or other statistical methods when developing hydrologic material for the permit application. Actual surface- and ground-water information for each item may be required even when modeling is used.

5.14 Alternate Water Supply - If the determination of the PHC indicates that the proposed mining operation may proximately result in contamination, diminution, or interruption of an underground or surface source of water within the proposed permit or adjacent areas, which is used for domestic, agricultural, industrial, or other legitimate use, information shall be provided here on water availability and alternative water sources, including suitability for existing premining uses and approved postmining land uses.

- (A) Provide a detailed description of an alternate water supply and timetable for development when it is determined that contamination, diminution, or interruption of an existing water supply will occur.
- (B) If the alternative source(s) is developed, show the proposed location of connection or distribution system on the appropriate map(s).
- (C) Provide water-quality data collected from the alternative water source(s) that demonstrates its suitability for the identified uses(s).
- (D) Provide water-quantity data collected from the alternative water source(s) that demonstrates its suitability for the identified use(s).

5.15 Pollution Discharge Elimination System Application Information - List the *Action (A = add, C = change, D = delete), MPID number, and location number for all NPDES monitoring points. Please correlate all NPDES monitoring point locations to the appropriate map(s) and attach form #DMLR-PT-128. The standard frequency (based upon the total number of samples per quarter) for NPDES monitoring is 6 (2 per month, minimum 7 days apart) except for outfalls approved with reclamation area limits. The standard frequency for outfalls approved with reclamation area limits is 3 (1 per month). If any other frequency is proposed by the applicant, supporting justification must be included. *If the action is either Add or Change, complete attachment 5.15.

5.16 Alternate Proposal, Variance, and Waiver Request - Address the following if the applicant is requesting a variance, waiver, or is presenting any alternate proposals to hydrology requirements of this section:

- (A) Waiver/variance request narrative;
- (B) Proposed alternative discussion;
- (C) Justification and supporting data;
- (D) Alternative data available for public review, and;
- (E) Data collected from the permit and adjacent area for correlation to alternate data.

WATER SUPPLY INVENTORY LIST (WSI-034D) - Item #5.4

| | | | |
|----------------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
| Inventoried by | | Date Inventoried | |

INSTRUCTIONS:

1. Fill in all required information.
2. Make copies of this form as needed.
3. Use the back of this page or additional sheets as needed.

[illegible]

| WATER SUPPLY INVENTORY LIST (WSI - 034D) | | | | | | | | | |
|--|-------------------------------|--|--|--|------------------------|--|--|--|--|
| Applicant | | | | | Application/Permit No. | | | | |
| | Map No. | | | | | | | | |
| Type of Supplies | Well | | | | | | | | |
| | Spring | | | | | | | | |
| | Cistern | | | | | | | | |
| | Municipal | | | | | | | | |
| | Pond | | | | | | | | |
| | Other (specify type) | | | | | | | | |
| Water Use | Domestic | | | | | | | | |
| | Agriculture | | | | | | | | |
| | Industrial | | | | | | | | |
| | Other (specify) | | | | | | | | |
| Well Data *measured from top of well ** If yes, please provide log & name of Drilling Co. | Well Total Depth (ft.) | | | | | | | | |
| | Cased Depth (ft.)* | | | | | | | | |
| | Well Diameter (in.) | | | | | | | | |
| | Well Elev. (Top) MSL | | | | | | | | |
| | Year Drilled | | | | | | | | |
| | Static Water level (ft.)* | | | | | | | | |
| | Well Yield (CFS or GPM) | | | | | | | | |
| | Well Screen (Yes or No) | | | | | | | | |
| | Slotted Casing (Yes or No) | | | | | | | | |
| | Driller's Log Available?* | | | | | | | | |
| Spring Data | Spring Elev. (ft.) MSL | | | | | | | | |
| | Spring Source (Aquifer) | | | | | | | | |
| | Spring Flow Rate (CFS or GPM) | | | | | | | | |
| | Spring Protected (Yes or No) | | | | | | | | |
| | Type of Protection | | | | | | | | |
| Water Treatment | Water Treatment (Yes or No) | | | | | | | | |
| | Type of Treatment | | | | | | | | |

NOTE: Attach sheets for water quality information, pond data, and comments concerning the referenced supplies.
Also indicate whether the water user denied the Applicant/Permittee access to the supply (for the pre-mining survey).

WELL CONSTRUCTION DATA SHEET (WCD-034D) - Item #5.4

| | | | | | | | | | | | | | |
|--|--|-------------------------|--|-----------|--|------------------------------------|--|------------------------------|--|--------------|--|------------|--|
| APPLICANT | | | | | | Application/Permit No. | | | | | | | |
| Location No. (s) | | | | | | | | | | | | | |
| INSTRUCTIONS: 1. Make copies of this form as needed. 2. Fill in the information as applicable. 3. Put additional information on attached sheet(s). | | | | | | Type of Well (check as applicable) | | | | | | | |
| | | | | | | Baseline Well | | | | | | | |
| | | | | | | Monitoring Well | | | | | | | |
| Well Owner Name | | | | | | Date Well Drilled | | | | | | | |
| Drilling Company Name | | | | | | Drilling Method | | | | | | | |
| Address | | | | | | Diameter Drilled (in.) | | | | | | | |
| Drilling Log Available? | | Yes (include) | | No | | Depth Drilled (ft.) | | | | | | | |
| VA State Plane Northing | | | | | | Depth Completed (ft.) | | | | | | | |
| VA State Plane Easting | | | | | | Surface Elevation (ft.) MSL | | | | | | | |
| Depth to Water Producing Zone (Point of encounter) | | | | | | CASING | | INNER | | OUTER | | | |
| Top (ft.) | | Bottom (ft.) | | | | Type | | | | | | | |
| | | | | | | Diameter (in.) | | | | | | | |
| | | | | | | Length (ft.) | | | | | | | |
| | | | | | | Perforated (Yes/No) | | | | | | | |
| Well Screened | | Yes | | | | No | | If yes, size (in.) | | | | | |
| Screening Type | | | | | | | | Perforation Spacing - | | Vertical | | Horizontal | |
| Diameter (in.) | | | | | | | | Perforated | | from (ft.) | | to (ft.) | |
| Screened | | from (ft.) | | | | to (ft.) | | | | | | | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| Well Gravel Packed? | | Yes | | | | No | | STATIC WATER LEVEL(S) | | | | | |
| If yes, specify type | | | | | | Feet | | Date | | | | | |
| Method of Sealing | | Grout | | Bentonite | | | | | | | | | |
| Mixture (water/sacks) | | | | | | | | | | | | | |
| Pump Test Conducted? If yes, include test results. | | Yes | | No | | | | | | | | | |
| Final Well Yield (gpm) | | Method of Determination | | | | | | Duration | | | | | |
| Data Compiled by | | | | | | Position/Title | | | | | | | |
| Title of Person Supervising Well Installation (if applicable) | | | | | | | | | | | | | |

GROUND WATER BASELINE DATA SUMMARY (GWB-034D) - Item #5.5

| | | | |
|-----------|--|---------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|---------------------------|--|

GROUND WATER BASELINE DATA SUMMARY

| | | | | | |
|--------------------|--|---|--|--------------------------------------|--|
| Location Number | | VA State Plane Coordinate Northing | | VA State Plane Coordinate Easting | |
| | | Type: W = well; SP = spring; P = piezometer; MD = mine discharge; U = underdrain; O = other (specify →) | | | |
| Reporting Period | | Flow Determination Method (springs, mine discharges, and underdrains) | | | |
| | | | | | |

| | | | | |
|--|--|--|--|--|
| Sample Number | | | | |
| Date of Sample | | | | |
| Depth to Water (ft) (wells & piezometers) | | | | |
| Flow (gpm) - (for springs, mine discharges, and underdrains) | | | | |
| pH (to nearest tenths) | | | | |
| Appearance/Color | | | | |
| Temperature (°C) | | | | |
| Hardness (mg/l) - (not required for piezometers and underdrains) | | | | |
| Acidity (mg/l) | | | | |
| Alkalinity (mg/l) | | | | |
| Specific Conductivity (micromhos/cm) | | | | |
| Total Dissolved Solids (TDS) (mg/l) | | | | |
| Total Suspended Solids (TSS) (mg/l) (not required for piezometers and underdrains) | | | | |
| Total Iron (TFe) (mg/l) | | | | |
| Total Manganese (TMn) (mg/l) | | | | |
| Sulfate (SO4) (mg/l) | | | | |

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|--------------------|--|-----------------|--|
| Sampled by | | Laboratory Name | |
| Analyzed by | | | |

DISCHARGE MEASUREMENTS SHEET (GDM-034D) - Item #5.5

| | | | |
|------------------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
| Location No. (s) | | | |

DISCHARGE MEASUREMENTS

Report the **Flow Quantity** (in gallons per minute) under seasonal conditions for springs and mine discharges within the overlying adjacent area. Report to the **nearest tenth of a gallon**. List the location number for each point beside the appropriate data column. Use “**SP**” to denote a Spring and “**MD**” for a Mine Discharge. Use the **NPDES** number with the appropriate preface when applicable.

| | | | | | | | | | | | | | |
|--------------|-------|------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Year | | APPLICATION/PERMIT NO. | | | | | | | | | | | |
| Location No. | | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
| | Disch | | | | | | | | | | | | |
| | Day | | | | | | | | | | | | |

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| | Disch | | | | | | | | | | | | |
| | Day | | | | | | | | | | | | |

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| | Day | | | | | | | | | | | | |

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|---|--|----------------|--|
| Data Compiled by | | Position/Title | |
| Title of Person Supervising Well Installation (if applicable) | | | |



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8185

GROUND WATER MONITORING REPORT

| | | | |
|-------------------------|--|---|--|
| COMPANY | | PERMIT NO. | |
| ADDRESS | | MPID NO. | |
| Reporting Period | | to | |
| | | Sample Location No. (per Geologic Map) | |

REPORTING INSTRUCTIONS:

1. Submit at the end of each calendar quarter to the attention of the DMLR "Water Quality Section" at the above address.
2. All samples analyzed must be reported.

| | |
|---|--|
| Ground Water Type (check one) <input type="checkbox"/> Well <input type="checkbox"/> Spring <input type="checkbox"/> Piezometer <input type="checkbox"/> Underdrain <input type="checkbox"/> Other (specify →) | |
|---|--|

FIELD PARAMETERS – to be analyzed twice monthly, at least 7 days apart.

| Date Sampled | Depth to Water | Flow (gpm) | Temperature °C | Specific Conductivity Micromhos/cm (adjusted to 25 °C) | Appearance | Color | pH |
|--------------|----------------|------------|----------------|--|------------|-------|----|
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Appearance Codes: 1 = Clear 2 = Slightly Turbid 3 = Moderately Turbid 4 = Very Turbid 5 = Visible Suspended or Settleable Solids

Color Codes: A = Natural B = Brown to Red C = Gray D = Black E = Other (please specify)

QUARTERLY LABORATORY PARAMETERS (* Parameters for Piezometers, Underdrains, Suction Lysimeters)

| PARAMETER | VALUE | UNIT | PARAMETER | VALUE | UNIT |
|--------------------------|-------|------|--------------------|-------|------|
| pH * | | pH | Chloride * | | mg/l |
| Acidity * | | mg/l | Nitrate | | mg/l |
| Alkalinity * | | mg/l | Nitrite | | mg/l |
| Hardness | | mg/l | Ammonia | | mg/l |
| Total Suspended Solids | | mg/l | Total Phosphate | | mg/l |
| Total Dissolved Solids * | | mg/l | Orthophosphate | | mg/l |
| Sulfate * | | mg/l | | | mg/l |
| Total Iron * | | mg/l | | | mg/l |
| Total Manganese * | | mg/l | Appearance/Color * | | |

| | | | | | |
|-------------------|--|----------------------|--|-----------------|--|
| Date Sample Taken | | Depth to Water (ft.) | | Flow Rate (gpm) | |
|-------------------|--|----------------------|--|-----------------|--|

| | | | | |
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| CERTIFICATION: I certify that I am familiar with the information submitted herein, and to the best of my knowledge, such information is true, complete, and accurate. | | | Date | |
| Name of Principal Executive Officer or Authorized Agent | | Signature | | |

SURFACE WATER BASELINE DATA SUMMARY (SWB-034D) - Item #5.8 & #5.9

| | | | |
|-----------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|------------------------|--|

SURFACE WATER BASELINE DATA SUMMARY - Preface the Location number with “**B**” (baseline).

| | | | | | |
|---------------------------|--|-------------------------|--|------------------------|--|
| Location Number | | VA State Plane Northing | | VA State Plane Easting | |
| Location Description | | | | | |
| Flow Determination Method | | | | | |

| | | | | |
|--|--|--|--|--|
| Sample Number | | | | |
| Date of Sample | | | | |
| Time Sample Taken | | | | |
| Flow Rate (gpm) | | | | |
| Flow Type (low, medium, high) | | | | |
| Appearance | | | | |
| Temperature (°C) | | | | |
| pH (to nearest tenth) | | | | |
| Acidity (mg/l) | | | | |
| Alkalinity (mg/l) | | | | |
| Specific Conductivity (adjusted to 25°C) | | | | |
| Total Dissolved Solids (mg/l) | | | | |
| Total Iron (mg/l) | | | | |
| Total Manganese (mg/l) | | | | |
| Sulfate (mg/l) | | | | |
| Total Suspended Solids (mg/l) | | | | |
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|--------------------|--|-----------------|--|
| Sampled by | | Laboratory Name | |
| Analyzed by | | | |



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8185

SURFACE WATER MONITORING REPORT

| | | | |
|-------------------------|--|--------------------------------|-------------------------------|
| COMPANY | | PERMIT NO. | |
| ADDRESS | | MPID NO. | |
| STATION NO. | | DESCRIPTION | |
| REPORTING PERIOD | | to | |
| | | VA State Plane Northing | VA State Plane Easting |

REPORTING INSTRUCTIONS:

1. Submit at the end of each calendar quarter to the attention of the "Water Quality Section" at the above address for each. monitoring point.
2. All samples analyzed must be reported.

| MONITORING DATA | | | |
|--|--|--|--|
| Month | | | |
| Date of Sample | | | |
| Time Sample Taken | | | |
| Flow Rate (gpm) | | | |
| Flow Type (low, medium, high) | | | |
| Appearance | | | |
| Temperature (C) | | | |
| pH (to the nearest tenth) | | | |
| Acidity (mg/l) | | | |
| Alkalinity (mg/l) | | | |
| Specific Conductivity (to 25 C) | | | |
| Total Dissolved Solids (mg/l) | | | |
| Total Iron (mg/l) | | | |
| Total Manganese (mg/l) | | | |
| Sulfate (mg/l) | | | |
| Total Suspended Solids (mg/l) | | | |
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I certify that this form and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person(s) who manage the system, or those persons directly responsible for gathering the information, the information submitted herein, to the best of my knowledge, is true, complete, and accurate.

| | | | |
|--|--|------------------|--|
| Name of Principal Executive Officer or Authorized Agent | | Signature | |
|--|--|------------------|--|

RAINFALL BASELINE DATA (RFB-034D) - Item #5.11

| | | | |
|-----------|--|---------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|---------------------------|--|

DAILY RAINFALL (TO TENTH OF AN INCH)

| Day | Jan | Feb | Mar | | Apr | May | Jun | | Jul | Aug | Sep | | Oct | Nov | Dec |
|-------|-----|-----|-----|--|-----|-----|-----|--|-----|-----|-----|--|-----|-----|-----|
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COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF MINES, MINERALS AND ENERGY
 DIVISION OF MINED LAND RECLAMATION
 P. O. DRAWER 900; BIG STONE GAP, VA 24219
 TELEPHONE: (276) 523-8185

(RAINFALL MONITORING REPORT)

| | | | | | | | | | |
|------------------|--|--|----|--|-------------------------|------------|--|------------------------|--|
| COMPANY | | | | | | PERMIT NO. | | | |
| ADDRESS | | | | | | MPID NO. | | | |
| REPORTING PERIOD | | | to | | VA State Plane Northing | | | VA State Plane Easting | |

REPORTING INSTRUCTIONS: Submit at the end of each calendar quarter to the attention of the "Water Quality Section" at the above address.

| DAILY RAINFALL (TO TENTH OF AN INCH) | | | | | | | | | | | | | | | |
|--------------------------------------|-----|-----|-----|--|-----|-----|-----|--|-----|-----|-----|--|-----|-----|-----|
| | JAN | FEB | MAR | | APR | MAY | JUN | | JUL | AUG | SEP | | OCT | NOV | DEC |
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| TOTAL | | | | | | | | | | | | | | | |

I certify that I am familiar with the information submitted herein, and to the best of my knowledge, such information is true, complete, and accurate.

| | | | |
|---|--|-----------|--|
| Name of Principal Executive Officer or Authorized Agent | | Signature | |
|---|--|-----------|--|

SECTION VI - PHC/HRP

6.1 Probable Hydrologic Consequences (PHC) Determination -

The PHC is a predictive estimate of potential hydrologic impacts likely to occur as a result of the proposed mining and reclamation operations on the hydrologic balance of the permit and adjacent areas. It is the sum of the effects on the hydrologic balance of all mining, remedial treatment, and reclamation practices.

The scope of the PHC should enable the applicant to quickly mitigate any short-term adverse hydrologic impacts and to ensure that effective long-term reclamation can be accomplished. Listed below are the requirements for the PHC determination that must be included in this permit.

- (A) The application must contain a determination, with supporting data, of the probable hydrologic consequences of the proposed operation upon the quality and quantity of surface and ground water under seasonal flow conditions for the proposed permit and adjacent areas.
- (B) The PHC determination must be developed through evaluating baseline hydrologic, geologic and other information collected for the application, and in the context of the potential interaction of materials and water during mining and reclamation. It may include data statistically representative of the site.
- (C) The PHC determination must include findings on:
 - (1) Whether adverse impacts may occur to the hydrologic balance; and which water producing zones or streams may be adversely impacted;
 - (2) Whether acid-forming or toxic-forming materials are present in the coal and any strata to be disturbed that could result in the contamination of surface or ground water supplies; and for underground mines, whether there will be a gravity discharge from underground works during mining and/or after reclamation;
 - (3) Whether the proposed operation may proximately result in contamination, diminution or interruption of an underground or surface source of water within the proposed permit or adjacent areas which is used for domestic or other legitimate purpose; and
 - (4) What impact the proposed operation will have on:
 - (a) sediment yield from the disturbed area;
 - (b) acidity, total suspended and dissolved solids, total iron, pH, total manganese, and other important water quality parameters;
 - (c) flooding or streamflow alteration;
 - (d) ground-water and surface-water availability and;
 - (e) aquifers that significantly ensure the hydrologic balance in the proposed permit or adjacent areas.
- (D) Describe applicable factors, if any, other than the proposed mining operation which contribute or may contribute to changes in water quantity and quality.
- (E) Insert any site specific conceptual, analytical, statistical or graphic computer models used in the PHC determination.

6.2 **Hydrologic Reclamation Plan (HRP)** - In the event that operations will or may adversely impact the hydrologic resources, explain how the Applicant intends to minimize, restore, or replace the impacted resources. The hydrologic reclamation plan must demonstrate that the proposed operation has been designed to minimize disturbances to the hydrologic balance within the proposed permit and adjacent areas, and to prevent material damage outside the proposed permit area, by describing measures to be taken to:

- (A) avoid acid or toxic drainage;
- (B) prevent, to the extent possible, additional contributions of suspended solids to surface waters;
- (C) provide and maintain water-treatment facilities;
- (D) control drainage;
- (E) prevent the sudden release of accumulated waters from the underground workings;
- (F) restore approximate pre-mining recharge capacity;
- (G) protect or replace the rights of present water users;
- (H) avoid, control, or remediate any other potential hydrologic impacts identified in Section 6.1; and
- (I) prevent, control, or mitigate the impacts of gravity drainage or pumped discharge of water from an underground mine.

SECTION VII - LAND USE

7.1 **Pre-Mining Land Use** - Utilize the following codes to describe the current land use(s) and the acreage associated with each land use:

| Code | Land Use | | Code | Land Use |
|------|---|--|------|--|
| 01 | Agricultural - Cropland | | 10 | Industrial – Utilities |
| 02 | Agricultural - Hayland | | 11 | Industrial - Manufacturing |
| 03 | Agricultural – Grazingland | | 12 | Previously Mined Lands |
| 04 | Agricultural - Managed Forestry | | 13 | Public Use – Buildings and Facilities |
| 05 | Commercial | | 14 | Public Use – Public Roads |
| 06 | Developed Water Resources | | 15 | Recreational |
| 07 | Fish and Wildlife Habitat- Wetlands | | 16 | Residential |
| 08 | Fish and Wildlife Habitat – Species Managed Area | | 17 | Unmanaged Forestry/Undeveloped Land |
| 09 | Industrial – Gas Well(s)/Pipeline(s) | | | |

7.2 Current and Potential Land Condition, Capability, and Productivity - The application shall contain a statement of the condition, capability, and productivity of the land within the proposed permit area. Describe the capability of the proposed permit area, before any mining, to support a variety of land uses. Consideration must be given to soil and foundation considerations, topography, vegetative cover and hydrology. Provide an estimate of the productivity of the proposed permit area, before any mining, expressed as average yields of food, fiber, forage, or wood products, if such lands were to be maintained under high levels of management.

7.3 Within the Official Limits of any Town or City - Indicate whether any portion of the Proposed Permit area will be located within the official limits of any Town or City. If “Yes”, identify the Town or City.

| | | | | | |
|-----|--|---------------|--|-----|----------------|
| | | Town/City | | | Town/City |
| 001 | | Abingdon | | 013 | Honaker |
| 002 | | Appalachia | | 014 | Lebanon |
| 003 | | Big Stone Gap | | 015 | Norton |
| 004 | | Bluefield | | 016 | Pennington Gap |
| 005 | | Castlewood | | 017 | Pocahontas |
| 006 | | Cedar Bluff | | 018 | Pound |
| 007 | | Cleveland | | 019 | Richlands |
| 008 | | Clinchco | | 020 | St. Charles |
| 009 | | Clintwood | | 021 | St. Paul |
| 010 | | Coeburn | | 022 | Tazewell |
| 011 | | Grundy | | 023 | Wise |
| 012 | | Haysi | | | |

7.4 Within or Adjacent to the Jurisdictional Service Area of any Municipal/Public Water and Sewage Treatment Authority or Water Company - Indicate whether any portion of the Proposed Permit area will be located within or adjacent to the jurisdictional service area of any Municipal/Public Water and Sewage treatment authority or water company which provides service to citizens in the vicinity of the proposed permit area, or have service facilities (i.e. treatment stations, water pipelines, etc.) located in the area of the proposed permit. If “Yes”, identify the Authority/Company Name and its Mailing Address. **Provide a brief description** of the facility type and its approximate location in the Proposed Permit area (reference the description to the appropriate map).

7.5 Previously Mined/Permitted - If “Yes”, you are indicating that previous mining has occurred within the proposed permit area. Describe the type of mining used, coal seam or other strata mined, extent of such mining, and approximate dates of the surface disturbances. The application shall contain a description of the

existing land uses and land use classification under local law, if any, of the proposed permit and adjacent area.

- 7.6 **Post-Mining Land Use** - Utilizing the Land Use Codes in Item # 7.1, indicate the proposed post-mining land use(s) and the respective acreage involved. List the Action (A = add, C = change, D = delete) for the appropriate code(s).
- 7.7 **Achievement of the Post-Mining Land Use** - Describe how the proposed post-mining land use(s) will be achieved and identify any necessary supporting data or management activities which will be used as required by **4 VAC 25-130-780.23/4 VAC 25-130-784.15**.
- 7.8 **Public Parks, Cultural, Historic, Or Archeological Resources** (within or adjacent to the Proposed Permit area) - Indicate whether there are known CULTURAL or HISTORIC RESOURCES either listed or eligible for listing on the National Register of Historic Places, any known ARCHEOLOGICAL SITES, or PUBLIC PARKS located within or adjacent to the proposed permit area. List, describe, and reference the map which identifies the location of any cultural or historic resource (including potential) listed, or eligible for listing on the National Register of Historic Places, any known archeological sites, and public parks within or adjacent to the proposed permit area. Provide a description of the measures to be taken to mitigate adverse impacts to these sites including comments received from other agencies and surface owners.

SECTION VIII - FISH AND WILDLIFE

- 8.1 **Fish and Wildlife Resources** - Provide a general description of the fish and wildlife resources, complete item 8.7 for any threatened or endangered species or critical habitat.
- 8.2 **Existing Vegetative Types and Plant Communities** - Provide a map or narrative description (and site index, if available) of the existing vegetative types and plant communities of canopy shrubs and understory types within the proposed permit and any proposed reference area including any threatened or endangered species or critical habitat. This description must include adequate information to predict the potential success for re-establishing vegetation on the proposed permit area.
- (A) Names, dates of collection, and qualifications of persons conducting the vegetation surveys should be included.
- (B) Sufficient adjacent areas shall be included to allow evaluation of vegetation as important habitat for fish and wildlife.
- 8.3 **Stream Survey Results** - Identify intermittent or perennial streams within or adjacent to the proposed permit area. Provide the information requested by form VSS-034D and a narrative summarizing the stream(s) survey results.
- 8.4 **Wetlands** - If “Yes”, identify whether there are any wetlands (actual or potential) present within or adjacent to the proposed permit area or areas to be impacted. Include any information which may have been obtained (for the proposed operation site) from the Natural Resources Conservation Service or Corps of Engineers.
- 8.5 **Stream Buffer Zones** - If “Yes”, indicate if approval to disturb land within 100 feet of a perennial or an intermittent stream or to mine through such a stream is being requested. If land within 100 feet of a perennial or intermittent stream will not be disturbed or such a stream will not be mined through, delineate the boundaries of the buffer zone on the appropriate map(s). Address item 11.2 for proposed temporary or permanent stream channel diversions. Provide information based on the PHC determination and Hydrologic Reclamation Plan, NPDES requirements, baseline hydrologic data, geologic information, and any other information contained in the Application which will ensure mining activities will not adversely affect the water quantity and quality or other environmental resources of the stream.
- 8.6 **Mitigation Measures** – If “Yes”, describe the measures which will be taken to minimize or avoid adverse impacts to wetland areas, stream channel loss, important fish and wildlife species, critical habitat, or other threatened or endangered species protected by State or Federal law. Should fish and wildlife resources be identified, provide a fish and wildlife enhancement plan.
- 8.7 **Threatened/Endangered Species - 4 VAC 25-130-784.21** If “Yes”, Endangered / Threatened species or their critical habitats are covered under the Endangered Species Act of 1973.

STREAM SURVEY DATA SHEET (VSS 034D) - Item #8.3

| | | | |
|-----------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|------------------------|--|

| | | | | | |
|--------|--|--------------|--|-----------|--|
| Stream | | Tributary to | | Watershed | |
| County | | Location | | | |

| | | | | | | | | |
|----------------|--|----|--|----------------------|--|-----|--|----|
| Elevation from | | to | | Stocked Trout Stream | | Yes | | No |
|----------------|--|----|--|----------------------|--|-----|--|----|

| | | | | | | | | | |
|--------------------------|-----|-----------------------|-------|----|--|-------------|--------------------|----------------------------|--|
| Date of Survey | | Weather during Survey | | | | | Preceding 24 hours | | |
| Temperature (°C) | Air | | Water | | | Time of Day | | | |
| Water quality tested? | | Yes | | No | | pH | | Other analyses (specify ☞) | |
| Method used in sampling: | | | | | | | | | |
| Survey conducted by: | | | | | | | | | |

| | | | | | | | | | | | | |
|--|--------|--|----|---|--|--|---------------|--|--|---------------|--|--|
| | Length | | | Average Width | | | Maximum Depth | | | Average Depth | | |
| Pool Size | | | | | | | | | | | | |
| Riffle Size | | | | | | | | | | | | |
| Flat Size | | | | | | | | | | | | |
| Total length of stream section which will be affected: (in feet) | | | | | | | | | | | | |
| | Yes | | No | Has stream been channelized? If yes, indicate sections (☞) | | | | | | | | |
| | Yes | | No | Do sections of the stream go dry during the summer? If yes, identify the sections (☞) | | | | | | | | |

| | | | | | | | | |
|-------------------------|--|--|--|---------------------------------|--|--|-----------------------------|--|
| Flow Stage ¹ | | Amount of Stream Channel Occupied by Flow ² | | | | | Siltation Rate ³ | |
| Turbidity ⁴ | | Color ⁵ | | Aquatic Vegetation ⁶ | | | | |

¹ Flow Stage: A = above normal N = normal B = below normal

² Stream flow: A = 75-100% B = 50-75% C = 30-50% D = 10-30% E = less than 10%

³ Siltation: H = heavy M = moderate S = slight N = none noticeable

⁴ Turbidity: 1 = clear 2 = slightly discolored 3 = murky 4 = muddy 5 = very muddy

SECTION IX - SOILS AND REVEGETATION

- 9.1 **Prime Farmland** - If “Yes”, indicate whether all or a portion of the proposed permit area should be classified as “prime farmland” (See 4 VAC 25-130-785.17).
Basis for Negative Prime Farmland Determination - Based upon the “Reconnaissance Inspection” required by 4 VAC 25-130-785.17(b), indicate if any of the conditions listed in this part is present to warrant a negative prime farmland determination.
Prime Farmland Restoration - If any of the proposed permit area contains prime farmland which will be affected by mining activities, provide a plan for mining and restoration. At a minimum, the plan must include the information required by 4 VAC 25-130-785.17(c).
Prime Farmland Exemption - For applicants claiming an exemption from prime farmland reconstruction, submit proper documentation to demonstrate that a permit had been obtained prior to August 3, 1977, or that the other requirements of 4 VAC 25-130-785.17(a) have been met. Provide an affidavit from surface owners pursuant to historic cropland use.
- 9.2 **Topsoil/Substitute Topsoil** - Include a description of the existing soils that will be disturbed within the proposed permit area and provide a map delineating the different soil groups to be disturbed. For overburden material(s) proposed for topsoil substitute, provide a geologic cross-section of the area containing the alternate material, and a chemical and physical analyses of the existing topsoil and the proposed topsoil substitute material which demonstrates that the substitute/supplement is equal to or more suitable for sustaining vegetation than the existing topsoil and that the proposed substitute/supplement is the best available in the proposed permit area for supporting vegetation. Provide a representative number of composite samples for each predominant soil type and substitute/supplement material in the proposed permit area. Provide analyses of the topsoil and substitute/supplement sampling points and locate on the appropriate map. Include the Natural Resource Conservation Service (NRCS) form as attachment and form SPD-034D.
- 9.3 **Soil Salvage and Redistribution Plan** - Indicate which soil horizons will be used for topsoil or alternate topsoil. Describe how the soil materials will be removed, stored, stabilized, protected, and redistributed (include timing, volumes, and depth) in the proposed permit area. Reference the map which identifies where topsoil or alternate topsoil stockpiles will be located.
- 9.4 **Revegetation Plan** - Indicate the type and rate of application for the items listed. Provide a planting diagram corresponding to the proposed post-mining land use. Describe the methods to be used in planting, seeding and mulching, including the soil testing plan for evaluating the results of topsoil handling and reclamation procedures and the irrigation, pest and disease control measures proposed.
- 9.5 **Evaluation Measures** - Describe the measures to be used to determine the success of the post-mining land use and revegetation efforts; and, the standards to be used to determine the success of the post-mining land use and revegetation.
- 9.6 **Bio Solids** – If “Yes”, Bio Solids use on reclamation areas shall be conducted according to DMLR Memorandum August 9, 1995.
- 9.7 **Coal Combustion By-Products** – If “Yes”, Coal Combustion By-Products use on reclamation areas shall be conducted according to DMLR Memorandum (#2-95) January 30, 1995.

SOILS PROFILE DATA SHEET (SPD-034D) – Items #9.2 & 9.3

| | | | |
|-----------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|------------------------|--|

| NATIVE SOIL PROFILE(S) | |
|---------------------------|------------------------------|
| Soil Horizon | Depth of Horizon (in inches) |
| “A” Horizon only | |
| “A” and “B” Horizons | |
| “A”, “B” and “C” Horizons | |

TOPSOIL AND SUBSTITUTE/SUPPLEMENT ANALYSIS TABLE

| Sample Number | TS-1 | TS-2 | SS-1 | SS-2 |
|---|------|------|------|------|
| Parameter | | | | |
| 1. Topsoil Depth | | | | |
| 2. Substitute Thickness | | | | |
| 3. pH (paste) | | | | |
| 4. Net Acid Base Potential | | | | |
| 5. Sodium Absorption Ratio | | | | |
| 6. Salinity (mmhos/cm) | | | | |
| 7. Cation Exchange Capacity | | | | |
| 8. Texture Class | | | | |
| 9. % Coarse Fragments* | | | | |
| a) % fragments larger than 2 mm ** | | | | |
| b) % fragments larger than 3 inches ** | | | | |
| c) % fragments larger than 10 inches ** | | | | |

*This requirement may be waived if the applicant can show the substitute material will break down to be suitable for plant growth. This could be demonstrated by a suitable test or from past experience with the proposed substitute material. If this is the case, the contribution of the coarse fragments, after breakdown, should be included in the determination of texture class.

SECTION X - OPERATIONS PLAN

10.1 General Operation Plan - Provide a narrative description of the operational phases which will be conducted during the proposed permit's life (Include the anticipated starting and termination dates of each phase, the anticipated acreage to be disturbed, and the major equipment to be utilized for all aspects of those operations). If mining is proposed within 300' of a dwelling provide applicable waivers. Include a brief overview for each of the items below:

- (A) Drainage control plan, including the hazard class;
- (B) Transportation plan;
- (C) Topsoil handling plan, including clearing, grubbing and disposal of vegetation;
- (D) Overburden handling, including backfilling and grading, and excess spoil disposal sites;
- (E) Toxic materials handling;
- (F) Coal removal, handling, cleaning, storage and transport;
- (G) Revegetation plan;
- (H) Pre-mining and post-mining land uses;
- (I) Removal of structures; e.g., siltation structures, diversion ditches, access/haulroads, and support facilities.

10.2 Anticipated Coal Production - Provide the anticipated ANNUAL and CUMMULATIVE (Life of Mine) TONNAGE to be produced under this proposed permit, per operation type (Auger, Strip, Reprocess, or Underground).

10.3 Facilities to be Constructed/Utilized - Indicate the Action (A = add, C = change, D = delete), code(s), types and identification numbers of all facilities to be constructed/utilized by the proposed operation. Provide a narrative that explains the construction, modification, use, maintenance, and removal of all facilities to be constructed/utilized by the proposed operation.

| CODE | Type of Facility | | CODE | Type of Facility |
|------|------------------------------------|--|------|---|
| SB | Sediment Basin | | MS | Mine Management/Support Areas |
| SC | Sediment Channel | | VS | Ventilation Shaft |
| OS | Other Siltation Structure | | CS | Coal Stockpile |
| HR | Coal Haulroad | | DG | De-gasification Wells ¹ |
| AR | Access Road | | RF | Durable Rock Fill |
| CV | Conveyors (provide amount in feet) | | SF | Excess Spoil Fill |
| RR | Rail Loading Facility | | SR | Scalp Rock Disposal (distinguish temporary & permanent) |
| UE | Underground Mine Entries | | CR | Coal Refuse Fill |
| | | | | |

¹ Identify each de-gasification well and indicate whether it is a coal bed methane well or vertical ventilation hole. Provide the Division of Mines' or Division of Gas and Oil's identification number for the well.

| | | | | |
|------|-----------------------------|--|------|-------------------------------|
| CODE | Type of Facility | | CODE | Type of Facility |
| CP | Coal Preparation Facilities | | MW | Coal Mine Waste Disposal Site |
| LD | Loading Facilities | | TS | Temporary Spoil Storage |
| SI | Coal Slurry Impoundment | | OT | Need to specify |

- 10.4 **Existing and Shared Structures** - If “Yes”, you are indicating that existing and/or shared facilities are proposed to be used. The plans for a facility or structure that is to be used by two or more separately permitted mining operations that are controlled by entirely separate business entities may be included in one permit application and referenced in the other application(s). Each permittee shall bond the facility or structure unless a sharing agreement is reached. If such an agreement is reached, include a copy of the agreement as Attachment 10.4. Describe each existing structure proposed to be used; including a location, current condition, date of construction, and a demonstration that the structure meets the performance standards. Include a compliance plan for each structure proposed to be modified or reconstructed.
- 10.5 **Plan for Maximizing Resource Recovery** - Provide a description of the measures to be used to maximize the use and conservation of the coal resources, while utilizing the best technology currently available to maintain environmental integrity and minimize future disturbance.
- 10.6 **Air Pollution Control Plan** - Provide an air pollution control plan for fugitive dust control practices which describes measures to be used to protect and stabilize all exposed surface areas to effectively control erosion and air pollution attendant to erosion.
- 10.7 **Disturbances within Right- of -Way** - If “Yes”, you are indicating that any portion of the Proposed Permit area will be located within 100 feet of the right-of-way of any public road or relocation of a public road. Provide a copy of the correspondence as Attachment 10.7.
- 10.8 **Mining Within 300 Feet of Occupied Dwelling – 4 VAC 25-130-761.12** - If “Yes”, you are indicating that the proposed operation will result in mining within 300 feet of an occupied dwelling. Utilize form DMLR-PT-223 “Example - Waiver (300 feet from Dwelling)”.

Example - Waiver (300 feet from Dwelling)

I, _____ (owner of dwelling), hereby waive the three hundred (300) feet distance restriction contained in 4 VAC 25-130-761.11(e) of the **Virginia Coal Surface Mining Reclamation Regulations**, and consent to allow _____ (Permit Applicant) to conduct surface coal mining operations no closer than _____ feet of my dwelling (Water Supply Inventory # _____).

I understand that such activities will consist of:

| |
|--|
| |
|--|

I also understand that by executing this waiver, I am consenting to these operations by the Permit Applicant listed above, and by any subsequent applicant to whom the application or approved permit may be assigned. By executing this waiver, I am not waiving any rights other than those specifically mentioned herein, nor does this waiver relieve the company conducting the operations of its responsibility or liability for damages resulting from, caused, or inflicted by its operations.

Stipulations or conditions of the waiver, if any, are hereby listed:

| |
|--|
| |
|--|

| | | | |
|----------------------|--|-------------|--|
| Signature | | Date | |
| Witnessed by: | | Date | |

SECTION XI - DRAINAGE CONTROL

- 11.1 **Miscellaneous Flow Diversion(s)** - Provide a description, including maps, profiles, and cross-sections, of diversions to be constructed within the proposed permit area to achieve compliance with **4 VAC 25-130-816.43** or **4 VAC 25-130-817.43**. Include detailed design calculations and computation sheet (DVD-034D) for each diversion; and, as applicable:
- (A) A description, including maps, plans, drawings, etc., of the specific measures to be taken to protect the stream(s) during the mining and reclamation operation.
 - (B) reference the map which depicts the location of the proposed diversion(s) (note the distance to any nearby stream).
- 11.2 **Intermittent/Perennial Stream Diversions** - Indicate the Action (A = add, C = change, D = delete), diversion ID, location (description), type and whether permanent for the diversions proposed. If any stream channel diversions will be constructed within the proposed permit area, describe the anticipated construction and whether the diversion is temporary or permanent. Provide the identification number of each stream channel diversion and its location on one of the application maps. Also provide cross-sections and longitudinal profile of the stream's pre-mining and anticipated post- mining configuration.
- 11.3 **Construction and Periodic Maintenance Plan** - Provide a plan for the construction and periodic maintenance of all diversions.
- 11.4 **Abandonment of Diversions** - Describe procedures to be used for the abandonment of each diversion.

DIVERSION INFORMATION & DESIGN DATA SHEET (DVD-034D) - Items #11.1 & 11.2)

| | | | |
|-----------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|------------------------|--|

| Diversion No. | Length | Designed Storm Event | Type of Channel | Designed Velocity | Erosion Control Measures |
|---------------|--------|----------------------|-----------------|-------------------|--------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

DIVERSION DESIGN COMPUTATION SHEET

DIVERSION NUMBER: **DD-**

| | | | | | | |
|--------------------------------|--|--|--|--|--|--|
| Station to Station | | | | | | |
| Temporary (T) or Permanent (P) | | | | | | |
| Design Storm (yr. - hr.) | | | | | | |
| Drainage Area (acres) | | | | | | |
| Disturbed Area (acres) | | | | | | |
| Design Flow (cfs) | | | | | | |
| Grade (%) | | | | | | |
| Bottom (ft.) | | | | | | |
| Side Slopes (H:V) | | | | | | |
| Required Depth (ft.) | | | | | | |
| Design Velocity (fps) | | | | | | |
| Freeboard(ft.) ¹ | | | | | | |
| Design Depth(ft.) ² | | | | | | |
| Erosion Protection | | | | | | |

¹ Freeboard = $0.025VD^{1/3}$ (0.3 ft. minimum)

² Round off to next higher 0.5 ft. increment (1.0 ft. minimum)



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8166

STREAM CHANNEL DIVERSION(S) CERTIFICATION

| | | | |
|---------------------|--|-------------------|--|
| COMPANY NAME | | PERMIT NO. | |
|---------------------|--|-------------------|--|

| | | | |
|---------------------------|--|----------------------------|--|
| Date of Inspection | | Diversion(s) Number | |
|---------------------------|--|----------------------------|--|

REMARKS

| |
|--|
| |
|--|

CERTIFICATION (check as applicable)

| | |
|--|--|
| | I hereby certify the diversion(s) has (have) been constructed in accordance with the design(s) contained in the Permit's approved plans and the applicable requirements of the Virginia Coal Surface Mining Reclamation Regulations . |
| | I hereby certify the diversion(s) has (have) been constructed in accordance with the attached "as built" design(s). The attachment also includes the necessary permit revision application. |

| | | | |
|------------------------|--|--------------------------------|--|
| CERTIFIED BY: | | Certification/Registration No. | |
| SIGNATURE: | | Date | |
| PLACE SEAL HERE | | | |

DMLR USE ONLY

| | | | |
|-----------------------|--|---------------------|--|
| Reclamation Inspector | | Permit/Revision No. | |
| Signature | | Date | |

SECTION XII - SEDIMENT CONTROL

- 12.1 **Minesite Sediment Control Plan** - Provide a sediment control plan for the mine site which addresses each sediment basin, sediment channel, impoundment or other siltation structure. Submit maps, detailed plans, cross-sections, engineering calculations, and descriptions as required in **4 VAC 25-130-780.25 or 4 VAC 25-130-784.16**.

Show the location of (and label) each facility on the surface water hydrology map. Include a sediment basin design data sheet (SBD-034D) and stage area storage computations sheet (DMLR-PT-111), as applicable for each structure.

- 12.2 **Proposed Sediment Structures** - Indicate the Action (A = add, C = change, D = delete), structure ID's, description, type, permanent (Y/N), volume (Y/N), height (Y/N) and location (I = in the stream; O = outside the stream) of the structures proposed. Identify the sediment and drainage basins, impoundments, and channels which will be utilized by the proposed operation. Include a Proposed Sediment Structures form (PSS-034D).
- 12.3 **Operation and Maintenance Plans** - Describe the construction, operation and maintenance plan for each structure. Include the proposed sediment clean-out schedule, and describe sediment removal and disposal methods.
- 12.4 **Structures in Series** - If "Yes", you are indicating that sediment structures will be placed in series. Identify the specific structures.
- 12.5 **Timetable and Specific Plans for Removal** - Describe the timetable and specific plans for removing all structures except those retained as permanent impoundments. If permanent impoundments are proposed, a demonstration that the structure complies with applicable portions of **4 VAC 25-130-780.25 or 4 VAC 25-130-784.16** must be included.
- 12.6 **MSHA Regulated Structures** - Upon MSHA approval, for structures other than slurry impoundments, include the concurrence letter and notarized statement stating the plans are a true, accurate, and complete duplicate of the MSHA approved plans.
- 12.7 **Exemptions** - If "Yes", you are indicating that an exemption from drainage control is being requested. Delineate the area on the appropriate map, specify the acreage for which the exemption is being requested and provide alternate sediment control measures or a demonstration that sediment control is not necessary.

SEDIMENT BASIN DESIGN DATA SHEET (SBD-034D) - Item #12.1

| | | | |
|-----------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|------------------------|--|

| | | | | | | | |
|-----------|--|-----------|--|-------------------------|--|------------------------|--|
| BASIN NO. | | NPDES No. | | VA State Plane Northing | | VA State Plane Easting | |
|-----------|--|-----------|--|-------------------------|--|------------------------|--|

GENERAL INFORMATION

| | | |
|---|--|---|
| Hazard Classification | | |
| Total Drainage Area (acres) | | Design Flow (cfs) |
| Total Disturbed Drainage Area (acres) | | Design Storm Event (year/hour) |
| Total Disturbed Area to be Treated by Basin (acres) | | |
| Required Basin Volume ¹ (ac-ft) | | Required Sediment Volume ² (ac-ft) |
| Basin Volume Provided (ac-ft) | | Sediment Volume Provided (ac-ft) |

BASIN GEOMETRY

| | | | | | |
|-----------------|--------|--------------------------|-----------------------|--------------------|-----|
| | Bottom | Sediment Volume Provided | Basin Volume Provided | Emergency Spillway | Top |
| Elevation (ft.) | | | | | |
| Area (ft) | | | | | |

PRINCIPAL SPILLWAY (if applicable)

| | | | | | | | |
|----------------------|--|---|--|------------------------------|--|-----------------------|--|
| Pipe Diameter (in.) | | Pipe Length (ft.) | | Pipe Inlet Elevation (ft.) | | Slope % | |
| Riser Diameter (in.) | | Height of Riser ³ (ft.) | | Top of Riser Elevation (ft.) | | Hp ⁴ (ft.) | |
| Type of Base | | Type of Trash Rack & Anti-vortex device | | | | | |

¹ (0.125 X disturbed area in acres)

² (0.075 X disturbed area in acres)

³ Base to top of riser

⁴ Height of water in pool (head) above spillway

| EMERGENCY SPILLWAY (if applicable) | | | | | | |
|------------------------------------|--|--------------------|----------------|-------------------|--|--|
| Hp ⁴ (ft.) | | Bottom Width (ft.) | | Side Slopes (H:V) | | |
| Design Velocity (fps) | | | Type of Lining | | | |

| EXIT CHANNEL (if applicable) | | | | | |
|------------------------------|--|--------------------|----------------|--------------------------------|--|
| Slope (%) | | Bottom Width (ft.) | | Side Slopes (H:V) | |
| Flow Depth (ft.) | | Freeboard (ft.) | | Total Depth Exit Channel (ft.) | |
| Design Velocity (fps) | | | Type of Lining | | |

| EMBANKMENT (if applicable) | | | |
|--|--|--|--|
| Top of Embankment Elevation ⁵ (ft.) | | Constructed Top of Embankment Elevation ⁶ (ft.) | |

⁵ Top of Embankment Elevation = Emergency Spillway Elevation + Hp + Freeboard (1 ft. minimum)

⁶ Constructed Top of Embankment = Top of Embankment Elevation + allowance for settlement (5% minimum)

STAGE - AREA - STORAGE COMPUTATIONS

| | | | |
|--------------------|--|------------|--|
| COMPANY NAME | | PERMIT NO. | |
| Sediment Basin No. | | | |

[illegible]

* 1 inch² = .0573 acre for a scale of 1 inch = 50 feet

PROPOSED SEDIMENT STRUCTURES (PSS-034D) - Item #12.2

| | | | |
|-----------|--|------------------------|--|
| APPLICANT | | Application/Permit No. | |
|-----------|--|------------------------|--|

Complete the following table for each proposed sediment structure.

| Facility I.D. No. | Type | Permanent | Volume | Height | Location |
|-------------------|------|-----------|--------|--------|----------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
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| | | | | | |
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| | | | | | |
| | | | | | |
| | | | | | |

| | |
|-------------------|---|
| Facility I.D. No. | Structure identification number. |
| Type | Embankment, Excavated, Flow Through Embankment, or Sediment Channel |
| Permanent | Yes or No. Indicate if the structure is proposed to be retained as a permanent facility |
| Volume | Yes or No. Indicate if the structure exceeds 20 acre-feet. |
| Height | Yes or No. Indicate if the structure height exceeds 20 feet from upstream toe to crest of emergency spillway. |
| Location | Yes or No. Indicate if the structure is proposed to be located in-stream. |

SECTION XIII - BACKFILLING / GRADING

- 13.1 **Backfilling and Grading** - Describe the method and sequence of excavation, backfilling and regrading operations, including temporary and permanent placement of spoil material, and reclamation of final pits and disturbed areas, including soil stabilization and compaction practices. Describe how the time and distance requirements for backfilling and grading can be complied with. Include and reference regrade contour maps and/or sufficient cross sections to show anticipated final surface configuration of the proposed permit area. If the mining operation involves previously mined areas, include maps and cross sections showing the extent of the existing disturbance.
- 13.2 **Spoil Volume Calculations** - Provide complete engineering calculations on spoil generation and disposal for the proposed permit area, and include a stability analysis to demonstrate that all backfilled areas will meet a minimum long-term **static safety factor of 1.3**. If refuse is proposed to be used as backfill material over abandoned portals, include MSHA 101C petition.

SECTION XIV - EXCESS MATERIALS DISPOSAL

- 14.1 **Excess Material Disposal** - Indicate the Action (A = add, C = change, D = delete), structure ID, description, type and whether permanent for any excess spoil disposal structures proposed for use in the permit area. If any of the disposal structures are permanent, indicate “Y” for Yes. Also indicate the structure type, material to be deposited and type of drain to be constructed.

| <u>Type</u> | <u>Material</u> | <u>Drains</u> |
|--------------------------|--------------------------|-----------------------------|
| BF - Bench Fill | CB - Combination of two | CCD - Chimney Core Drain |
| HOH - Head of Hollow | or more of the following | ND - No Drains |
| SHF - Side Hill Fill | DR - Durable Rock | PPD - Perforated Pipe Drain |
| SLI - Slurry Impoundment | ES - Excess Spoil | RCD - Rock Core Drain |
| VF - Valley Fill | RF - Refuse | |
| | SR - Scalp Rock | |
| | TS - Temporary Spoil | |
| | ZC - Zoned Concept | |

Show the location of all proposed excess spoil disposal structures on the appropriate map(s).

- 14.2 **Excess Material Disposal Structure(s)** - For each proposed excess spoil disposal structure, submit the geotechnical, design, construction, operation, maintenance, and removal information required by **4 VAC 25-130-780.35**. Provide sufficient stability analysis for each structure to demonstrate appropriate factors of safety as prescribed in **4 VAC 25-130-816.71/4 VAC 25-130-817.71** through **4 VAC 25-130-816.75/4 VAC 25-130-817.75**. Include justification for parameters used in the stability analyses. Identify the location of all test borings and test pits utilized in the geotechnical investigation(s) on the appropriate map. Indicate the amount of excess material that will be placed in the disposal structure.
- 14.3 **Coal Processing Waste and/or Underground Development Waste** - If “Yes”, provide a description, including appropriate maps, drawings and cross-sections, of the proposed disposal methods, sites and structures. Include a description of the geotechnical investigation, design, construction, operation, maintenance and removal, if appropriate, of the site and structures prepared according to **4 VAC 25-130-780.25** or **4 VAC 25-130-784.16**. Provide supporting engineering design calculations for each proposed

structure. (If coal mine waste will be taken from more than one seam or mine, discuss the quarterly acid-base monitoring program. To determine if ground water monitoring of each structure will be necessary, please indicate the approximate amount of cubic yards that will be placed in the disposal structure.)
Provide location of disposal sites on appropriate map(s).

- 14.4 **MSHA Impoundments** - If “Yes”, provide MSHA approval of the slurry impoundment(s), include the concurrence letter and a notarized statement stating the plans are a true, accurate, and complete duplicate of the MSHA approved plans.
- 14.5 **Excess Material Disposed in Underground Workings** - If “Yes”, provide a plan to satisfy the requirements of **4 VAC 25-130-784.25**.
- 14.6 **Disposal from Offsite Areas** - If “Yes”, provide a plan showing that such disposal will be in accordance with the standards of **4 VAC 25-130-817.81** and provide sharing agreement in Item 10.4.
- 14.7 **Acid- Base Monitoring** - If “Yes”, you are indicating that acid-base monitoring is required. Submit a plan describing sampling procedures, frequency and a schedule for submittal to DMLR.



COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF MINES, MINERALS AND ENERGY
 DIVISION OF MINED LAND RECLAMATION
 P. O. DRAWER 900; BIG STONE GAP, VA 24219
 TELEPHONE: (276) 523-8180

QUARTERLY ACID-BASE MONITORING REPORT

| | | | | | |
|----------------|--|--------------------------|--|-------------|--|
| COMPANY | | PERMIT NO. | | | |
| ADDRESS | | Reporting Quarter | | Year | |

| | | | |
|--|--|----------------|--|
| Name of Laboratory (performing analyses) | | Address | |
|--|--|----------------|--|

REPORTING INSTRUCTIONS:

1. Submit at the end of each calendar quarter to the attention of the DMLR "Geology Section" at the above address.
2. All samples analyzed must be reported.

ANALYSIS RESULTS

| | | | |
|---|--|--|--|
| SAMPLE NO. | | | |
| Sample Description | | | |
| Date Collected | | | |
| pH | | | |
| Sulfur Content (%) | | | |
| Form Analyzed (total or pyritic) | | | |
| Maximum Potential Acidity* | | | |
| Neutralization Potential* | | | |
| Net Neutralization Potential* (expressed as + or -) | | | |

* Determined in tons/1,000 tons calcium carbonate equivalent.

| | | | |
|---|--|-----------|--|
| CERTIFICATION: I certify that I am familiar with the information submitted herein, and to the best of my knowledge, such information is true, complete, and accurate. | | Date | |
| Name of Principal Executive Officer or Authorized Agent | | Signature | |

SECTION XV - TOXIC MATERIALS AND NON-COAL WASTE HANDLING

- 15.1 **Acid/Toxic Materials** - If “Yes”, you are indicating that any of the following potentially acid/toxic materials are known to exist within the proposed permit area:

Coal stockpiles
Acid/toxic strata
Coal processing wastes
Sediment pond and coal fine trap wastes
Other (please indicate)

Describe how these materials will be stored and/or disposed on site. Include information on how the operator will prevent contamination of surface and ground waters, prevent combustion, and minimize adverse effects on plant growth. Describe the procedures to be used to identify and handle acid and toxic forming materials identified by acid-base analyses, and:

- discuss where acid or toxic forming material will be encountered in the overburden;
- describe the proposed method of field identification of these materials;
- project the anticipated volume of immediately or potentially acid, toxic, or alkaline forming materials (including adjustments for swell);
- discuss whether and how alkaline forming materials will be mixed with the acid or toxic forming materials;
- describe the method for treating the acid or toxic forming material; and, what measures will be used to prevent contact of the acid or toxic material with water.

- 15.2 **Disposal of Non-Coal Wastes** - If “Yes”, you are indicating that any of the following combustible materials are expected to be used, stored, or generated during operation of the proposed surface coal mine:

Grease
Lubricants (machine oils, etc.)
Paints
Flammable liquids (gasoline, diesel fuels, kerosene, etc.)
Garbage (paper, plastic containers, rubberized hoses and conveyer belts, etc.)
Abandoned mine machinery
Treatment chemicals (flocculants, pH adjusters, coal processing, etc.)
Wood, vegetation, lumber, mine timbers
Others, (please list)

Provide a description of the measures to be used for the temporary storage and final disposal of non-coal wastes generated during mining activities to protect against leachates entering surface and ground waters, prevent combustion, and minimize adverse effects on plant growth. Identify the storage and disposal sites on the appropriate map(s) and provide the estimated quantity of materials. If these materials are to be disposed of off-site, provide a sharing agreement or destination for final disposition.

SECTION XVI - BLASTING

- 16.1 **Use of Explosives** - If “Yes”, you are indicating that surface blasting is anticipated. (**4 VAC 25-130-816.61(b)**) Submit a sample copy of the blasting schedule to be published in a newspaper of general circulation in the locality of the blasting operation. Describe the procedure for publication and distribution of the schedule to the DMLR office, local governments, public utilities, and to each resident within one-half mile of the proposed blasting site (Publication of the blasting schedule is not required for surface blasting incidental to underground mining).
- 16.2 **Blasting Operations within 1000 Feet of any Building Used as a Dwelling, Public Building, School, Church, Community or Institutional Building Outside the Permit Area** - If “Yes”, submit an anticipated blast design (form BLD-034D) prepared and signed by a certified blaster in accordance with **4 VAC 25-130-816.61 or 4 VAC 25-130-817.61**.
- 16.3 **Blasting and/or Operations Proposed within 500 Feet of An Underground Mine** - If “Yes”, submit an anticipated blast design (form BLD-034D) prepared and signed by a certified blaster in accordance with **4 VAC 25-130-816.61 or 4 VAC 25-130-817.61**.

Other Operations - **4 VAC 25-130-816.79** - Submit plans to address blasting and other operations proposed within 500 feet.

Note: 3 copies of concurrence materials will be required for MSHA and DM if within 500 feet of an active underground mine.

- 16.4 **Pre-Blasting Survey** - **4 VAC 25-130-816.62** - Provide a list of names and addresses of all residents or owners of dwellings and owners of other manmade structures within one-half mile of the proposed permit area. Describe when and how all residents within one-half mile of the permit area will be informed about the procedure for requesting a pre-blast survey, and the procedures for reporting to DMLR the results of any requested pre-blast surveys. Include a copy of the text of the letter to be used for this notification. (Form DMLR-PT-104)
- 16.5 **Unscheduled Blasts** - **4 VAC 25-130-816.64(a)(3)** - Describe the procedures that will be used prior to any unscheduled blast.
- 16.6 **Warning Signal, Access Control, and Notification Procedures** - **4 VAC 25-130-816.66 or 4 VAC 25-130-817.66** - Describe the blast warning, all-clear signals and site access control procedures to be used. Also, describe how all persons within one-half mile of the permit area will be notified of the meaning of the blast signals.
- 16.7 **Blasting Operation Plan** - Describe the operation plan for blasting to control possible adverse effects and to protect the environment, the public, or property in accordance with **4 VAC 25-130-816.67 or 4 VAC 25-130-817.67**. Include discussions on airblast limits, ground vibration limits, control of flyrock and the monitoring program. Include blasts per day and days per week. Reference the map on which the explosive storage area and handling facility are shown **4 VAC 25-130-780.14(b)(9)**.
- 16.8 **Blasting Records** - Explain where blasting records will be maintained, and where records will be stored in compliance with the three-year requirement **4 VAC 25-130-816.68 or 4 VAC 25-130-817.68**.

BLASTING PLAN DATA (Item # 16.2 and 16.3)

| | | | |
|------------------|--|-------------------------------|--|
| APPLICANT | | Application/Permit No. | |
|------------------|--|-------------------------------|--|

Location where Blasting Log will be kept for
Inspection: _____

Peak Particle Velocity Determination
Method(s)¹: _____

Airblast - Microphone²: _____

If a seismograph will be used,
provide the:

Make

:

Model

:

| Distances from Blast Area to Structures/Maximum Amount of Explosives per 8 Millisecond Delay | | | | | | |
|---|-----------------------|--------------------------------------|--|----------------------|-----------------------|--------------------------------------|
| Type of Structure | Distance (in feet) | Pounds of Explosives per delay | | Type of Structure | Distance (in feet) | Pounds of Explosives per delay |
| Nearest Residence* | | | | Gas Well | | |
| Nearest Public Building* | | | | Gas Pipeline | | |
| Active Underground Mine ** | | | | Utility Line/Pole | | |
| Abandoned Underground Mine** | | | | Public Road | | |
| Municipal Water Tank | | | | Railroad | | |
| Water Line | | | | Railroad Tunnel | | |
| Other type(s): specify | | | | | | |
| | | | | | | |
| <p>* A Blast Design is required when the blasting will occur within 1,000 feet of a residence or public building.</p> <p>** A Blast Design is required when the blasting will occur within 500 feet of an active or abandoned underground mine. Attach the MSHA concurrence forms and material (3 copies bound separately), if an active underground mine is present.</p> | | | | | | |

TYPICAL BLAST DESIGN
☐

Sketch of Blast Design attached (check if applicable).

¹

Specify the **Peak Particle Velocity Determination Method(s)** which will be used: **1** = Scale Distance Equation (4 VAC 25-130.816.67(d)(3)(i)); **2** = Ground Vibration Chart (4 VAC 25-130.816.67(d)(2)(i)); **3** = Modified Scale Distance Equation (4 VAC 25-130.816.67(d)(3)(i)); **4** = Blasting Level Chart (4 VAC 25-130.816.67(d)(4)). Any of the methods may be used. A seismograph record must be provided for each blast under Methods #2, 3, or 4.

²

For Airblast measurement, identify the Microphone type: **1** = 2Hz or lower, **2** = 6Hz or lower

| | Hole Diameter (in.) | Hole Depth (ft.) | Burden (ft.) | Spacing (ft. X ft.) | # Decks | # Holes per Blast | Amount Explosives per Hole (lbs.) | Amount Explosives per 8 ms Delay (lbs.) | Stemming Length (ft.) |
|-----------------------------|------------------------|---------------------|-----------------|---------------------------|------------|--------------------------|--|--|--------------------------|
| Max. | | | | X | | | | | |
| Types of Explosives: | | | | | | Method of Firing: | | | |

Certified Blaster's Name: _____ Certification No.: _____

Signature³: _____ Date: _____

³ _____
The Blaster's signature is only needed if a blast design is required.



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DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8190

PRE-BLAST SURVEY

| | | | |
|----------------|--|-------------------|--|
| COMPANY | | Permit No. | |
|----------------|--|-------------------|--|

| | | | |
|------------------|--|--|--|
| OCCUPANT | | Enter "O" for owned, or "R" for rented | |
| ADDRESS | | | |
| Town/City | | County | |

STRUCTURE - General Information

| | | |
|--|--|--------------------------------------|
| Enter "A" for private residence, "B" for public building, or "C" for commercial building | | |
| Distance from Permit (feet) | | Approximate Age of Structure (years) |
| Construction Type | | |
| Type of Foundation | | |
| Indicate whether the structure is on bedrock (specify type of material)and/or fill (indicate varying soil type), and provide any additional observations relating to the nature of the ground. | | |
| Does surface water flow towards or away from the structure? | | |

STRUCTURE CONDITION

| | |
|--|--|
| Indicate whether there are any leaks, cracks, areas of condensation; and any noticeable defects or damage to the roof, chimney, guttering, foundation, plumbing, basement floor, or other areas of the structure. (be specific for each item). Provide a detailed description of the existing condition, including utilities. Attach relevant photographs, if available. | |
| Exterior | |
| | |
| Interior | |
| | |
| Describe any areas with broken or cracked glass. | |

WATER SUPPLY

| | |
|--|--|
| Type of water supply source(s) | |
| Indicate the length of time (years) each source has been in use & which is the primary source. | |

| | |
|--|--|
| Distance (feet) & direction of permit in relation to water supply. | |
| Indicate whether the water user requested an analysis of the water supply, and attach a copy of the analysis(es) report. | |
| Water Analysis conducted by | |

| OUT-BUILDING(s) | |
|--|--|
| Approximate Age of each Out-Building Structure (years) | |
| Current Use of each Structure and how it was built (i.e. construction material used) | |
| Describe the current condition of each Out-Building | |

| RECOMMENDATIONS OR PROPOSED ADJUSTMENTS TO BLASTING PLAN |
|---|
| Provide or discuss measures the Permittee may employ to protect structures from adverse impacts from blasting operations. |
| |

| COMMENTS |
|----------|
| |

| PRE-BLAST SURVEY | | | |
|---|--|--------------------------|--|
| Survey Company Name | | Date(s) Survey Conducted | |
| Address | | Business Phone No. | |
| Name of Person (s) who conducted survey | | | |

| CERTIFICATION OF SERVICE OF PRE-BLAST SURVEY | | | |
|--|--|------|--|
| I certify that a copy of this report has been received by the person who requested the Pre-Blast survey. | | | |
| Name and Title of Permittee's Authorized Representative | | | |
| Signature | | Date | |

SECTION XVII - TRANSPORTATION PLAN

- 17.1 **Transportation Facilities Plan** – Indicate the Action (A = add, C = change, D = delete), ID, location (description), type (primary or ancillary) and whether permanent for transportation facilities. Describe the transportation plan for the proposed permit area including appropriate maps, profiles, cross-sections, and specifications for each road width, gradient, surface, cut, fill embankment, culvert, bridge, drainage ditch, and drainage structure. Include a discussion of road maintenance procedures. When required, provide geotechnical analyses for alternative specifications or for steep cut slopes; measures to alter or relocate natural drainways; and measures to protect the inlet end of ditch relief culverts.
- 17.2 **Alternative Specification(s)** - If “Yes”, describe the specifications to be modified and provide justification.
- 17.3 **Conveyors and/or Rail Systems** - If “Yes”, provide a description of each conveyor or rail system to be constructed, used, or maintained within the proposed permit area.
- 17.4 **Reclamation of Roads and Other Transportation Facilities** - Describe the measures to be used to reclaim all roads within the proposed permit area. The contents of this description must include the requirements of **4 VAC 25-130-816.150 or 4 VAC 25-130-817.150**, and other applicable information. Identify whether any road is to be left as permanent, and provide the justification for such a determination.

SECTION XVIII - UNDERGROUND CONTROL PLAN

- 18.1 **Measures to Seal or Manage Openings** - Describe the measures to be used to seal or manage mine openings, exploration holes, auger holes, bore holes, wells, and other openings within the proposed permit area. Insert design specifications for ensuring stability under anticipated hydraulic heads for each permanent entry seal and downslope barrier. Insert and reference all maps, drawings, etc., required to adequately support the description of the proposed measures.
- 18.2 **Subsidence Survey Results** - If this is an application for an underground mine, provide a subsidence survey as required by **4 VAC 25-130-784.20(a)**. Show structures and/or renewable resource lands within the proposed permit and adjacent area and whether subsidence, if it occurred, could cause material damage or diminution of reasonable foreseeable use of such structures or renewable resource lands. The surveyed area must include all of the potentially affected area over the coal seam to be mined.

If applicable, identify any Federal owned lands above the Applicant’s proposed underground mining operation.

- 18.3 **Subsidence Control Plan** - If the subsidence survey shows any structures or renewable resource lands exist, or that subsidence could cause material damage or diminution of value or foreseeable use of the land, include a subsidence control plan as required by **4 VAC 25-130-784.20(b)**. The plan must include the information required in **4 VAC 25-130-784.20**.
Subsidence Control Plan for Auger Mining - If auger mining is proposed in this application, describe the measures proposed for compliance with **4 VAC 25-130-817.121(a)**.

*Provide maps and appropriate descriptions of the underground workings which shows the following:

- a. Areas and description of methods where subsidence-control measures will be used to prevent or minimize subsidence and subsidence-related damage;
- b. Size, configuration, and approximate location of pillars and entries;
- c. Extraction ratios;
- d. Areas of full extraction; and
- e. Other information if required by Division.

*As an alternative to including these materials in your application, you may provide a schedule, for Division approval, of dates showing when you will submit these materials.

- 18.4 **Overlying, Underlying, and/or Adjacent Underground Workings** - If “Yes”, provide and identify the map showing the extent of the underground workings in overlying, underlying, and adjacent seams. Describe the potential effects subsidence may have on structures such as dams, coal waste disposal areas, fills, and other structures.
- 18.5 **Outcrop Barriers** - For underground applications, submit demonstrations that proposed outcrop barriers (consideration to be given to internal barriers between adjacent mines) are sufficient to contain potential hydraulic heads as required by **4 VAC 25-130-817.41(i)(3)**.
- 18.6 **Subsidence Damage Mitigation** -Provide a description of the measures to be taken in accordance with **4 VAC 25-130-817.41(j)** and **4 VAC 25-130-817.121(c)** to replace adversely affected protected water supplies or to mitigate or remedy any subsidence-related material damage to the land and protected structures.
- 18.7 **Notification** - Include a copy of the notification that is to be mailed to all owners and occupants of surface property and structures above the underground workings and within the potential subsidence zone. The notification shall include, at a minimum, identification of specific areas in which mining will take place, dates that specific areas in which mining will take place, dates that specific areas will be undermined, and the location or locations where the operator’s subsidence control plan may be examined.
- 18.8 **Federal Lands** - If “Yes”, you are indicating underground mining is proposed beneath federal lands. This proposal is subject to review by overlying surface owner.

SECTION XIX - BONDING

19.1 **Bonding Plan** - Indicate the type of bonding method to be utilized (P = Reclamation Fund and C = Cost Estimate).

(A) **Coal Surface Mining Reclamation Fund (Part 4 VAC 25-130-801** of the regulations).

If planning to participate in this bonding type, attach the “Coal Surface Mining Reclamation Fund Application” form (DMLR-PT-162) following this section, and check the proposed payment method:

- the entire bond amount will be submitted upon Permit Approval.
- bond will be submitted in increments (list the number of increments).

(B) **Cost Estimate** - Proposal (**4 VAC 25-130-800.14** of the regulations) - Describe the situation on which the cost estimate is based. Include all calculations, maps, cross sections, and other information necessary to support the estimate:

- Cost for removal of all equipment, buildings, and other support facilities not proposed as part of the post-mining land use.
- Cost for sealing underground mine openings, auger holes, well, or other openings/holes.
- Cost for backfilling and grading.
- Cost for obtaining and distributing topsoil or substitute material.
- Cost for removal of non-permanent sediment structures and abandonment of haulroad and access roads.
- Cost for revegetation, including seed bed preparation, seeding, mulching, liming, fertilizing, and tree planting.
- Cost for maintenance of revegetated areas, additional grading, maintenance of drainage controls, sedimentation structures, and access roads, until final bond release.
- Cost for mobilization and de-mobilization of equipment.
- Cost of prime farmland reconstruction.
- Other costs (such as, but not limited to the removal of substations or fuel tanks, site clean up and the disposal of non-coal waste materials; specify in detail).



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

Statement for Third Party Certificate of Deposit

_____, (herein "Third Party"), hereby deposits with the Department of Mines, Minerals and Energy - Division of Mined Land Reclamation (herein "DMLR") on behalf of the Permittee, _____, the accompanying Certificate of Deposit Number _____ from _____ in the amount of _____ Dollars (\$ _____), made payable to _____ (*Third Party*) or *Department of Mines, Minerals and Energy - Division of Mined Land Reclamation*. This amount constitutes the performance bond required for the coal surface mining and reclamation operations to be conducted under Permit Number _____ pursuant to §45.1-241 of the **Code of Virginia**, as amended, and SubChapter VJ of the **Virginia Coal Surface Mining Reclamation Regulations**.

Upon the faithful and satisfactory compliance by the aforementioned Permittee with its operations plan, including the drainage and reclamation plans, and all other obligations which may be required under Chapter 19, Title 45.1 of the **Code of Virginia**, as amended, and the regulations promulgated thereunder, the Certificate of Deposit shall be returned to the Third Party. However, in the event that the Permit is revoked and/or the performance bond forfeited pursuant to § 45.1-247 of the **Code of Virginia**, the performance bond shall be utilized by the DMLR in accordance with § 45.1-248 of the **Code of Virginia**, to complete the reclamation plan and other regulatory requirements pertaining to the operation for which the forfeited bond had been posted.

Statement for Third Party Certificate of Deposit

Agreed by Permittee:

| | | | |
|----------------------------|--|-----------------|--|
| Permittee: | | | |
| Authorized Representative: | | Position/Title: | |
| Signature: | | Date: | |

Notarization:

Subscribed and sworn/affirmed to before me by _____ in
the City/County of _____ this ____ day of _____, 20 ____.

| | | | |
|-------------------------|--|------------------------------------|--|
| Notary Public Signature | | My Commission Expires (Affix Seal) | |
|-------------------------|--|------------------------------------|--|

Agreed by Third Party:

| | | | |
|----------------------------|--|-----------------|--|
| Third Party: | | | |
| Authorized Representative: | | Position/Title: | |
| Address: | | | |
| Signature: | | Date: | |

Notarization:

Subscribed and sworn/affirmed to before me by _____ in
the City/County of _____ this ____ day of _____, 20 ____.

| | | | |
|-------------------------|--|------------------------------------|--|
| Notary Public Signature | | My Commission Expires (Affix Seal) | |
|-------------------------|--|------------------------------------|--|

Accepted by DMLR:

| | | | |
|----------------------------|--|-----------|--|
| Authorized Representative: | | Position: | |
| Signature: | | Date: | |

Bond Policy No. _____



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

SURETY BOND

KNOW ALL MEN BY THESE PRESENTS: That we,
_____, hereafter called the **Principal**, and
_____, hereafter called the **Surety**, or **Sureties**,
are held and firmly bound unto the **COMMONWEALTH of VIRGINIA**, Director, Division of Mined Land
Reclamation, in the sum of _____ (\$_____) Dollars. For the
payment thereof the Principal and Surety (ies) bind themselves, their heirs, executors, administrators, successors,
severally, firmly, by these presents.

WHEREAS, the Principal proposes to commence coal surface mining, to be known as
_____ in
_____ County(ies), of Virginia.

Now, therefore, the condition of this obligation is such that if the Principal shall comply with the operations plan, including the
drainage and reclamation plans as filed with said Division under Permit Number _____ and furnish such information and
reports thereon as may be required, in compliance with all the rules and regulations of said Division and with the laws of the
COMMONWEALTH of VIRGINIA relating thereto, then this obligation shall be null and void; otherwise, it shall remain in full force and
effect until the release by the Division of Mined Land Reclamation in accordance with Chapter 19, Title 45.1 of the **Code of Virginia**, as
amended. In the event that this performance bond is declared forfeited, in whole or in part, according to law, the Surety will cause the principal
sum or appropriate part hereof to be delivered to the Division of Mined Land Reclamation immediately upon the written demand of the latter.

WHEREAS, the Surety will notify the Division and the Principal of any notice received or action filed alleging the insolvency or
bankruptcy of the Surety company, or alleging any violations or regulatory requirements which could result in suspension or revocation of the
Surety's license to do business or render the Surety incapable of fulfilling its obligations under the bond for any reason. This notification will
also apply to increase or decrease riders/stipulations affecting the original amount of this bond.

SIGNED AND SEALED THIS _____ DAY OF _____, 20_____.

Bond Policy No. _____

I. BY COMPANY:

Company Official's Signature as to _____ Principal (Seal)

Title _____ Date

Notarization -

Subscribed and sworn to before me by _____,
this _____ day of _____, 20____.

(Seal)

Notary Public

My Commission expires _____, 20____.

II. BY SURETY:

Company Official's Signature as to _____ Surety* (Seal)

Title _____ Date

* attach Power of Attorney

Notarization -

Subscribed and sworn to before me by _____,
this _____ day of _____, 20____.

(Seal)

Notary Public

My Commission expires _____, 20____.

III. BY INSURANCE AGENCY - Issuing Surety Bond (provide the name, address, telephone number, and agent):

IV. DIVISION ACTION:

ACCEPTED on _____, **by** _____ .



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

Bond Policy No. _____

SURETY BOND - Federal Lands

KNOW ALL MEN BY THESE PRESENTS: That we, _____, hereafter called the **Principal**, and _____, hereafter called the **Surety**, or **Sureties**, are held and firmly bound unto the **COMMONWEALTH of VIRGINIA**, Director, Division of Mined Land Reclamation (DMLR), and the Office of Surface Mining Reclamation and Enforcement of the U. S. Department of the Interior (OSMRE), in the sum of _____ (\$ _____) Dollars. For the payment thereof the Principal and Surety (ies) bind themselves, their heirs, executors, administrators, successors, severally, firmly, by these presents.

WHEREAS, the Principal proposes to commence coal surface mining, to be known as _____ in _____ County(ies), of Virginia.

Now, therefore, the condition of this obligation is such that if the Principal shall comply with the operations plan, including the drainage and reclamation plans as filed with the DMLR under Permit Number _____ and furnish such information and reports thereon as may be required, in compliance with all the rules and regulations of said Division and with the laws of the COMMONWEALTH of VIRGINIA relating thereto, then this obligation shall be null and void; otherwise, it shall remain in full force and effect until the release by the DMLR in accordance with Chapter 19, Title 45.1 of the **Code of Virginia**, as amended. In the event that this performance bond is declared forfeited, in whole or in part, according to law, the Surety will cause the principal sum or appropriate part hereof to be delivered to the DMLR immediately upon the written demand of the DMLR; provided, that should the Cooperative Agreement between the DMLR and OSMRE be terminated at the time of forfeiture, the Surety will deliver said sum, upon demand, to the OSMRE.

WHEREAS, the Surety will notify the DMLR, the OSMRE, and the Principal of any notice received or action filed alleging the insolvency or bankruptcy of the Surety company, or alleging any violations or regulatory requirements which could result in suspension or revocation of the Surety's license to do business or render the Surety incapable of fulfilling its obligations under the bond for any reason. This notification will also apply to increase or decrease riders/stipulations affecting the original amount of this bond.

SIGNED AND SEALED THIS _____ DAY OF _____, 20 ____ .

I. BY COMPANY:

Company Official's Signature

as to _____ Principal (Seal)

Title

_____ Date

Notarization -

Subscribed and sworn to before me by _____,
this _____ day of _____, 20____.

(Seal)

Notary Public

My Commission expires _____, 20____.

II. BY SURETY:

Company Official's Signature

as to _____ Surety* (Seal)

Title

* attach Power of Attorney

_____ Date

Notarization -

Subscribed and sworn to before me by _____,
this _____ day of _____, 20____.

(Seal)

Notary Public

My Commission expires _____, 20____.

III. BY INSURANCE AGENCY - Issuing Surety Bond (provide the name, address, telephone number, and agent):

IV. DIVISION ACTION:

ACCEPTED on _____, **by** _____.

EXAMPLE

Division of Mined Land Reclamation
P. O. Drawer 900
Big Stone Gap, Virginia 24219

Re: Performance Bond for

The accompanying instrument, Certificate of Deposit No. _____ in the amount of \$ _____ constitutes the performance bond for the aforementioned company under Permit Number _____ pursuant to 45.1-241 of the **Code of Virginia**, as amended, and Subchapter VJ of the **Virginia Coal Surface Mining Reclamation Regulations**.

This letter certifies that the aforementioned instrument is not and will not be considered as, or used as, collateral for any other purpose by the undersigned institution.

Further, without the actual presentation of the original instrument to the undersigned institution, the institution shall not authorize the withdrawal of, encumbrance, transfer of funds from, or allow the redemption of said instrument without the expressed written consent of the Division of Mined Land Reclamation of the Commonwealth of Virginia (DMLR) .

It is further certified that the undersigned institution shall notify the DMLR and the Permittee of any notice received or action filed alleging the insolvency or bankruptcy of the undersigned institution, or alleging any violations which could result in the suspension or revocation of the institution's charter or license to do business.

BY: _____ For: _____
Name/Title of Institution Official Name of Institution

Address: _____ Telephone: (____) _____

Notarization -

Subscribed and sworn to before me by _____, this ____ day of _____, 20____, in the City/County of _____.

(Seal)

Notary Public

My Commission expires _____, 20____.

EXAMPLE

Division of Mined Land Reclamation
P. O. Drawer 900
Big Stone Gap, Virginia 24219

Re: Performance Bond for

The accompanying instrument, Certificate of Deposit No. _____ in the amount of \$ _____ constitutes the performance bond for the aforementioned company under Permit Number _____ pursuant to 45.1-241 of the **Code of Virginia**, as amended, and Subchapter VJ of the **Virginia Coal Surface Mining Reclamation Regulations**.

This letter certifies that the aforementioned instrument is not and will not be considered as, or used as, collateral for any other purpose by the undersigned institution.

Further, without the actual presentation of the original instrument to the undersigned institution, the institution shall not authorize the withdrawal of, encumbrance, transfer of funds from, or allow the redemption of said instrument without the expressed written consent of the Division of Mined Land Reclamation of the Commonwealth of Virginia (DMLR) or the Office of Surface Mining Reclamation and Enforcement of the United States Department of the Interior (OSMRE), as appropriate in accordance with the Cooperative Agreement between the DMLR and the OSMRE for operations conducted on Federal lands in the Commonwealth of Virginia.

It is further certified that the undersigned institution shall notify the DMLR, OSMRE, and the Permittee of any notice received or action filed alleging the insolvency or bankruptcy of the undersigned institution, or alleging any violations which could result in the suspension or revocation of the institution's charter or license to do business.

BY: _____ For: _____
Name/Title of Institution Official Name of Institution

Address: _____ Telephone: (____) _____

Notarization -

Subscribed and sworn to before me by _____, this ____ day of _____, 20____, in the City/County of _____.

(Seal)

Notary Public

My Commission expires _____, 20____.



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

COAL SURFACE MINING RECLAMATION FUND APPLICATION

Pursuant to 45.1-270.2 of the **Code of Virginia**, as amended, an eligible person may elect to participate in the "Coal Surface Mining Reclamation Fund" (hereafter referred to as the Pool Bond Fund) in order to be relieved of the bonding requirements of 4 VAC 25-130-800.14 and 4 VAC 25-130-800.17 of the **Virginia Coal Surface Mining Reclamation Regulations**. The commencement of participation in the Pool Bond Fund shall constitute an irrevocable commitment by the permittee to participate therein as to the applicable permit and for the duration of coal surface mining and reclamation operations covered thereunder.

| | | | |
|--------------|--|-----------------|--|
| Company Name | | Application No. | |
|--------------|--|-----------------|--|

- The Applicant must demonstrate a consecutive three (3) year history of compliance under Title 45.1, Chapter 19 of the **Code of Virginia**, as amended, or any other comparable State or Federal act. To demonstrate this compliance complete the following:

| Company Name | Permit Number | From Date | To Date | State |
|--------------|---------------|-----------|---------|-------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

- For the company(ies) listed in item #1, provide the following (by company) for each officer, partner, director, and stockholder (owning 10 per cent or more of any class of voting stock):

| Company | Person's Name | Address | Title/Position |
|---------|---------------|---------|----------------|
| | | | |
| | | | |
| | | | |
| | | | |

- If requesting to exceed the rough backfilling and grading distances set forth under 45.1-270.2(C) of the Act, the Applicant must demonstrate a consecutive seven (7) year history of compliance under the Act or comparable State or Federal act. Check the following, if applicable.

| | |
|--|--|
| | A request to exceed the distances set forth in 45.1-270.2(C) is being made. The information in items #1 and 2 has been expanded to demonstrate the consecutive 7 year history of compliance. |
|--|--|

- Entrance Fee:**

I understand that should the permit application be approved, the entrance fee to the Pool Bond Fund may be \$1,000 or \$5,000, depending on the status of the Pool Bond Fund. I agree to submit payment of the applicable fee at permit issuance.

Coal Surface Mining Reclamation Fund Application:

5. **Performance Bond:**

| | |
|--|--|
| Type of performance bond that the Applicant intends to furnish (C = cash/certificate of deposit; I = insurance surety; S = self bond). | |
|--|--|

6. In the event the Applicant intends to furnish a “**self bond**”, the following information must be provided:

| | Name | Address |
|--|------|---------|
| A. The name and address of the suitable agent to receive service of process in Virginia. | | |
| B. The name and address of the independent certified public accountant who prepared the financial statement required by 4 VAC 25-130-801.13(a)(2). | | |
| C. Provide the location of the financial records which were used to prepare the financial statement | | |

.....
Self Bond Requirements/Conditions:

Financial Statement: The Applicant must have a net worth*, certified by the independent certified public accountant (item #6B), of not less than one million dollars after total liabilities are subtracted from total assets.

(* The net worth certification must be in the form of an unqualified opinion appended to the financial statement. Also note that per 45.1-270.3(C) of the Act, the Pool Bond Fund participant utilizing self bonding must ensure the net worth amount is certified annually on the permit’s anniversary date by an independent certified public accountant.)

Cognovit Note: For a proposed underground mining operation, a **cognovit note** shall be submitted to the Division prior to issuance of the permit. The **note** shall be a binding obligation, jointly and severally on all who execute it. The **note** shall be executed by the Applicant and -

- a. If a corporation, two corporate officers who are authorized to sign the **note** by resolution of the board of directors, a copy of which shall be provided.
- b. If the Applicant is a partnership, all of its general partners and their parent organization or principal investors.
- c. If the Applicant is a married individual, the Applicant’s spouse.

Indemnity Agreement: For a proposed surface mining operation or associated facility, an **indemnity agreement** shall be submitted to the Division prior to issuance of the permit. The **agreement** shall be a binding obligation, jointly and severally on all who execute it. The **agreement** shall contain a date of execution and be -

- a. Made payable to the “Treasurer of Virginia”.
- b. Immediately due and payable in the event of forfeiture of the permit’s bond.
- c. Payable in a sum certain amount of money.
- d. Signed by the maker(s).

e. Executed by the Applicant and -
Coal Surface Mining Reclamation Fund Application

- 1). If a corporation, two corporate officers who are authorized to sign the **note** by resolution of the board of directors, a copy of which shall be provided.
- 2). To the extent that the history or assets of a parent organization are relied upon to make the showings of 4 VAC 25-130-801.13, the parent organization of which it is a subsidiary, whether first-tier, second-tier, or further removed, in the form of (e)(1) above.
- 3). If the Applicant is a partnership, all of its general partners and their parent organization or principal investors.
- 4). If the Applicant is a married individual, the Applicant's spouse.

Any person who occupies more than one of the specified positions shall indicate each capacity in which he/she signs the **agreement**.

Posting of Surety/Collateral Bond: In the event the conditions upon which the self bond was approved no longer prevails, the Division shall require the Permittee to post a surety or collateral bond before coal surface mining operations may continue. The Permittee shall be required to immediately notify the Division of any change in his total liabilities or total assets which would jeopardize the support of the self bond.

Self Bond Approval: Self bonding is subject to the discretion and approval of the Director or his designee.

CERTIFICATION:

I hereby certify that the information provided in this application to the Pool Bond Fund and any attachments thereto are true and correct to the best of my knowledge and belief.

| | | | |
|----------------|--|------|--|
| Signature | | | |
| Title/Position | | Date | |

Notarization:

Subscribed and sworn/affirmed to before me by _____ this _____ day of _____, 20____, in the City/County of _____.

| | | | |
|----------------------------|--|---------------------------------------|--|
| Notary Public Signature | | My Commission Expires (affix Seal) | |
|----------------------------|--|---------------------------------------|--|

IRREVOCABLE STANDBY LETTER OF CREDIT

Irrevocable Standby Letter of Credit Number: _____

Date: _____

Commonwealth of Virginia
Department of Mines, Minerals and Energy
Division of Mined Land Reclamation
Post Office Drawer 900
Big Stone Gap, Virginia 24219

| |
|--|
| |
|--|

(Name
Address
&
Telephone
Number)

Gentlemen:

In accordance with Section 45.1-241(C) of the **Code of Virginia**, we hereby issue our **Irrevocable Letter of Credit** (on certain designated funds) in your favor for the account of (must state the exact name that appears on the permit) _____, Permit Number _____ for the sum or sums not to exceed a total of _____ U.S. Dollars (\$ USD _____) available by your draft(s) on us at sight.

This Letter of Credit will expire at our counters on _____.

It is a condition of this Letter of Credit that it will be automatically extended for additional periods of one (1) year from the present or each future expiration date unless we have notified you in writing, not less than thirty (30) days before the annual expiration date, that we elect not to renew this Letter of Credit. The Notice of such election shall be sent by registered mail, return receipt requested, and received by the Director of the Division of Mined Land Reclamation (hereafter referred to as "DMLR"), Post Office Drawer 900; Big Stone Gap, Virginia 24219 (or any change of address provided by the DMLR hereafter to us); or we may hand deliver the written Notice to, and obtain a written, dated receipt from the Director of DMLR at the DMLR's Big Stone Gap office.

This credit is subject to the **Uniform Customs and Practice for Documentary Credits** (1993 Revision) International Chamber of Commerce (Publication No. 500).

We further agree that unless expressly stated otherwise herein, the terms and obligations represented by this credit shall be governed by the Uniform Commercial Code of the Commonwealth of Virginia and/or any other pertinent Virginia law. We agree that the proper forum for trial of any dispute involving our liability to the Commonwealth of Virginia, Department of Mines, Minerals and Energy, Division of Mined Land Reclamation, on this Letter of Credit shall lie in the Wise County Circuit Court, Wise, Virginia pursuant to our intent hereby to do business in the Commonwealth of Virginia.

Attached hereto is a certified copy of the Corporation's Resolution authorizing the undersigned to execute this Letter of Credit on behalf of _____ (name of Bank).

All drafts drawn under this credit shall state that they are, "Drawn under _____ Letter of Credit Number _____, dated _____ for Permit No. _____."

We hereby agree that drafts drawn under and in compliance with the terms of the Irrevocable Letter of Credit will be duly honored on due presentation to the Drawee.

By: _____

Title: _____

CONFIRMATION OF IRREVOCABLE STANDBY LETTER OF CREDIT

Our Confirmation Number: _____

Date: _____

Commonwealth of Virginia
Department of Mines, Minerals and Energy
Division of Mined Land Reclamation
Post Office Drawer 900
Big Stone Gap, Virginia 24219

| | |
|--|---|
| | (Name Address & Telephone Number) |
|--|---|

In reference to:

Irrevocable Standby Letter of Credit Number _____

Dated: _____

Amount: _____

Issued by: _____

Account Party: _____

Permit Number: _____

We enclose the original of the above referenced Irrevocable Standby Letter of Credit opened in your favor.

We confirm this credit and thereby undertake that all draft(s) drawn under and in compliance with the terms of the original credit and any other conditions stated therein, will be duly honored.

Confirmation Number: _____

Assuring you it has been a pleasure to assist you in this matter, we remain,

Yours very truly,

By: _____

Title: _____

XX - SPECIAL CATEGORIES

20.1 **Experimental Mining Practices** - If “Yes”, you are indicating that a variance from the environmental protection performance standards of the Act is sought for experimental or research purposes or to allow an alternative post-mining land use. Provide the following:

- (A) Detailed descriptions, maps, plans, and data concerning the nature of the experimental practice, including the duration of the practice, a description of the performance standard for which the variance is requested, and any special monitoring that may be required.
- (B) An assessment of how the experimental practice will encourage advances in mining and reclamation technology or allows a postmining land use for industrial, commercial, residential, or public use (including recreational facilities), when the results are not otherwise attainable.
- (C) A discussion of how the experimental practice will protect the environment and public health and safety.
- (D) A monitoring plan to make an adequate comparison with other accepted mining practices and to identify potential risks to the environment and public health and safety.
- (E) Detailed engineering specifications for all parts of the design.

NOTE: Applications for experimental practices shall comply with the requirements for public notice.

20.2 **Mountain Top Removal Mining** – If “Yes”, indicate the proposed post-mining land use of the lands to be affected and provide specific plans for the proposed post-mining land use and appropriate assurances that such use will be:

- (A) Compatible with adjacent land uses;
- (B) Obtainable according to data regarding expected need and market;
- (C) Assured of investment in necessary public facilities;
- (D) Supported by commitments from public agencies where appropriate;
- (E) Practicable with respect to private financial capability for completion of the proposed use;
- (F) Planned pursuant to a schedule attached to the reclamation plan so as to integrate the mining operation and reclamation with the post-mining land use; and
- (G) Designed by a registered engineer in conformance with professional standards established to assure the stability, drainage, and configuration necessary for the intended use of the site.

Show that the proposed use would be consistent with adjacent land uses and existing State and local land-use plans and programs. Provide cross sections and indicate that the resulting gently rolling or level contour will be graded to drain inward from the out slope, except at specified points where it drains over the outslope in stable and protected channels.

- 20.3 **Steep Slope Mining** - If “Yes”, you are indicating that steep slope mining operations are to be conducted. Provide information to establish that the operation can be conducted in accordance with the requirements of **4 VAC 25-130-816.107/4 VAC 25-130-817.107**.
- 20.4 **Non Mountain Top Areas Not To Be Returned To AOC** - If “Yes”, you are indicating that a variance from approximate original contour for non-mountaintop removal mining is sought. The applicant shall request in writing that a variance be granted and demonstrate:
- (A) That after reclamation, the lands to be affected by the variance within the proposed permit area will be suitable for an industrial, commercial, residential, or public post-mining land use (including residential facilities);
 - (B) That the post-mining land use requirements will be met;
 - (C) That the watershed of lands within the proposed permit and adjacent areas will be improved by the operations when compared with pre-mining conditions or with its condition if approximate original contour were to be restored.
- 20.5 **Contemporaneous Reclamation** - If “Yes”, you are indicating that a variance for delay in the contemporaneous reclamation requirements is sought. File complete applications for both the surface mining and underground mining activities that are to be combined. The operation and reclamation plans contained in these applications shall include narratives, maps, and plans showing:
- (A) Why the underground mining activities are necessary or desirable to assure maximum practical recovery of the coal;
 - (B) How future disturbances of surface lands or waters will be avoided;
 - (C) The identity of the specific surface areas for which a variance is sought and the specific requirements from which a variance is sought;
 - (D) How the activities will comply with other regulatory program requirements;
 - (E) Why the variance is necessary for the implementation of the proposed underground mining;
 - (F) An assessment of the adverse environmental consequences and damages, if any, that will result if the reclamation of surface mining activities is delayed; and
 - (G) How offsite storage of spoil will be conducted.
- 20.6 **Augering** - If “Yes”, you are indicating that augering methods are incorporated into the mining operations. Provide a plan which includes:

- (A) A description of the augering methods;
- (B) A description of how augering will be conducted to maximize the utilization and conservation of the coal;
- (C) A map showing areas of undisturbed coal to remain in order to provide access for future underground mining activities, unless coal reserves are depleted or limited to the extent that it would not be practicable to recover the remaining coal; and
- (D) A description for the timing and sealing of the auger holes.
- (E) Identify the area of proposed augering on the appropriate map(s).

20.7 **In Situ Processing** - If “Yes”, you are indicating that in-situ processing is a part of the applicant’s proposed operations. Provide a mining and reclamation plan which describes the in-situ processing activities and contains information demonstrating compliance, including:

- (A) Delineation of proposed holes, wells, and production zone;
- (B) Specifications of drill holes and casings proposed to be used;
- (C) A plan for treatment, confinement or disposal of all acid-forming, toxic-forming, or radioactive gases, solids, or liquids constituting a fire, health, safety or environmental hazard caused by the mining and recovery process; and
- (D) Plans for monitoring surface and ground water and air quality.

20.8 **Remining** - If “Yes”, you are indicating that there are potential environmental and safety problem(s) related to prior mining activity which could be reasonably anticipated to occur at the site. Provide a detailed narrative describing the nature of the investigation to identify potential problems which shall include visual observations at the site, a record review of past mining at the site, and environmental sampling tailored to current site conditions. Identify the type and degree of the potential problems and provide a mitigation plan. Delineate on the appropriate map those areas within the proposed permit area that have been previously disturbed or affected by surface coal mining operations and are believed to be lands eligible for remining.

SECTION XXI - VERIFICATIONS/CERTIFICATIONS

21.1 **Verification(s)/Certification(s)** - Attach the DMLR-PT-034D form immediately following this section as Attachment 21.1.

21.2 **Maps/Certifications** - Attach appropriate maps and certifications immediately following this section as Attachment(s) 21.2.

PERMIT APPLICATION MAPS

General Requirements

Maps shall be prepared by or under direction of and certified by a registered professional engineer or professional geologist (4 VAC 25-130-779.25(b) and 4 VAC 25-130-783.25(b)).

All maps must be prepared in a clear and legible fashion. Enlargements of USGS topographic maps, customer generated aerial mapping or computer generated USGS topographic replica maps are acceptable as the base maps for providing required information.

No map or drawing should be smaller than 8.5" X 11".

The submission of two (2) base maps must be provided as part of the application. These are:

1. An Application Map (1" = 400'), and
2. A Geologic Map (1" = 400' or larger).

Each base map shall be of a scale of 1" = 400' and contain the following the following:

- Map title(s), application/permit number and revision number is applicable;
- Legend, including symbols and color code use;
- Name of the permittee;
- Area number or mine name;
- The date the map was prepared;
- By whom prepared;
- North arrow;
- Location sketch (county, quadrangle name and number) (minimum of 4" X 4");
- Contours;
- All of the information set forth on USGS 7-1/2 minute topographical maps;
- Permit boundaries and access roads;
- Boundaries of all areas proposed to be affected over the estimated life of the operation;
- Certification;

Other types of separate maps will be discussed and will be required to be submitted as part of the application. These maps may be combined with one of the two base maps at the discretion of the applicant, provided such combination is reflected in the title blocks and does not crowd the maps to the extent interpretation become difficult. Parts of one map may not be combined with parts of another; combine only entire maps.

APPLICATION MAP

1. Show the locations of natural and/or man-made surface water bodies including streams, springs, ponds, etc. (4 VAC 25-130-779.25(a)(7) and 4 VAC 25-130-783.25(a)(7)).
2. Show the location of all buildings in or within 1/2 mile of the proposed permit area and identify the owner.
3. List the current use of buildings within 1000 ft. of the proposed permit area (4 VAC 25-130-779.24(d) and 4 VAC 25-130-783.24(d)).
4. Show locations of cemeteries in or within 100 feet of the proposed permit area (4 VAC 25-130-779.24(j) and 4 VAC 25-130-783.24(j)).
5. Show the location of surface and subsurface man-made features within, passing through, or over the proposed permit area; including but not limited to, utility corridors, pipelines, agriculture drainage tile fields and other man-made features (4 VAC 25-130-779.24(e) and 4 VAC 25-130-783.24(e)).
6. Show any disturbed area and the size, sequence and timing of areas to be disturbed (4 VAC 25-130-779.24(c) and 4 VAC 25-130-783.24(c)).
7. Show the area of land for which a performance bond or other equivalent guarantee will be posted (4 VAC 25-130-780.14(b)(3) and 4 VAC 25-130-784.13(b)(2)). If incremental bonding is used a separate map may be needed.
8. Show the location and identify the right-of-way of any public road in or within 100 feet of the proposed permit areas (4 VAC 25-130-779.24(h) and 4 VAC 25-130-783.24(h)).
9. Show property boundaries in or contiguous to the permit area and names of present owners of record (Subsurface and sub-surface) (4 VAC 25-130-779.24(a) and 4 VAC 25-130-783.24(a)).
10. Show and identify all coal crop lines (4 VAC 25-130-779.25(a)(4) and 4 VAC 25-130-783.25(a)(4)).
11. Show location and depth, if available, of gas and oil wells within the proposed permit area (4 VAC 25-130-779.25(a)(10) and 4 VAC 25-130-783.25(a)(10)).
12. At least 2 copies of all maps shall be color-coded.

GEOLOGIC MAP

1. Show all coal seams to be affected by mining within the permit area, noting dip/strike and names (4 VAC 25-130-779.25(a)(3) and 4 VAC 25-130-783.25(a)(3)).
2. Show observable structural and stratigraphic conditions present within the mapped area, including the areal extent and recharge areas of aquifers. Rock types shall be indicated using the

USGS stratigraphic code.

3. Show the extent of active or inactive underground mining, within or adjacent to the permit area and note portals, shafts, slopes, etc. (4 VAC 25-130-783.25(a)(5)).
4. Show the elevation and location of ground water discharge points.
5. Using the groundwater hydrology maps symbols, show the location of boreholes and highwall exposures, acid-base account sampling points, groundwater monitoring points, and subsidence monitoring points used in preparation of the geologic map. These shall be numbered consecutively in the legend corresponding with the map (4 VAC 25-130-779.25(a), 4 VAC 25-130-783.25(a)).
6. Show the orientation of the geologic cross section(s).
7. Water users and their supplies, located within 1/2 mile of the proposed permit area, should be shown on a separate topographic map. Supplies shall be shown using the appropriate groundwater hydrology map symbols.

SURFACE WATER HYDROLOGY MAP

1. Show the location of natural and/or man-made surface water bodies (4 VAC 25-130-779.25(a)(7) and 4 VAC 25-130-783.25(a)(7)).
2. Show the location and elevations of any test borings for foundation investigations (4 VAC 25-130-779.25(a)(1) and 4 VAC 25-130-783.25(a)(1)).
3. Show the location and elevation of surface water monitoring sites (4 VAC 25-130-779.25(a)(2) and 4 VAC 25-130-783.25(a)(2)).
4. Show the location of sedimentation ponds, permanent water impoundments, coal processing waste banks, coal processing waste dams and embankments and disposal areas for underground development waste and excess spoil (4 VAC 25-130-779.25(a)(9), (4 VAC 25-130-783.25 (a)(9), 4 VAC 25-130-780.14(b)(10), and 784.23 (b)(10)).
5. Show the location of water supply intakes for current users of surface water (4 VAC 25-130-779.24(g) and 4 VAC 25-130-783.24(g)).
6. Show the location of rain gauges, all drainage and sediment control structures, treatment facilities, and discharge points (4 VAC 25-130-779.25(a)(9) and 4 VAC 25-130-783.25(a)(9)).
7. Show the limits of the watershed draining into the permit area.
8. Show the location and name of the receiving stream(s) into which discharges from the affected area flow (4 VAC 25-130-780.21(b)(2) and 4 VAC 25-130-784.14(b)(2)).
9. Show the pre-mining and post-mining drainage pattern within the watershed(s) controlled by

drainage structures.

10. Show the permit boundary, permit number, and coal company name of adjacent permits which may affect the drainage patterns.
11. Show the strike and dip of coal seams to be mined (4 VAC 25-130-779.25(a)(4) and 4 VAC 25-130-783.25(a)(4)).

SOILS MAP

1. Shall be prepared by an agronomist or soil scientist.
2. Delineation of soils on the permit area to be affected by surface operations or facilities in accordance with SCS criteria (4 VAC 25-130-779.21 and 4 VAC 25-130-783.21).

LAND USE MAP

1. Show the location of all natural and/or man-made surface water bodies (4 VAC 25-130-779.25(a)(7) and 4 VAC 25-130-783.25(a)(7)).
2. Show the boundaries of public parks and locations of historical, cultural, and archaeological sites (4 VAC 25-130-779.24(i) and 4 VAC 25-130-783.24(i)).
3. Show the location of cemeteries or Indian burial grounds in or within 100 feet of the proposed permit area (4 VAC 25-130-779.24(j) and 4 VAC 25-130-783.24(j)).
4. Show the boundaries of the National System of Trails and Wild and Scenic Rivers Systems (4 VAC 25-130-779.24(k) and 4 VAC 25-130-783.24(k)).
5. Show the location and extent of known workings of active, inactive, or abandoned surface or underground mines, including mine openings to the surface (4 VAC 25-130-779.25(a)(5) and 4 VAC 25-130-783.25(a)(5)).
6. Show existing land uses of the area to be affected by surface operations and facilities (4 VAC 25-130-783.22(a)).
7. Show the land classifications under local laws (4 VAC 25-130-783.22(c)).
8. Show the location of facilities that will remain on the permit area as permanent features (4 VAC 25-130-784.23(b)(13)).
9. Show the elevations and locations of existing air pollution control facilities, if applicable.
10. Show significant fish and wildlife habitat and monitoring points, if applicable (4 VAC 25-130-780.16(a), 4 VAC 25-130-779.25(a)(2) and 4 VAC 25-130-783.25(a)(2)).

MINE PLAN MAP

1. Show the locations of all natural and/or man-made surface water bodies (4 VAC 25-130-779.25(a)(7) and 4 VAC 25-130-783.25(a)(7)).
2. Show the location and boundaries of revegetation reference areas (4 VAC 25-130-779.24(f) and 4 VAC 25-130-783.24(F)).
3. Show the locations and dimensions of proposed and existing areas of spoil, waste, and non-coal waste disposal (4 VAC 25-130-779.25(a)(9), 4 VAC 25-130-780.14(b), 4 VAC 25-130-783.25(a)(9) and 4 VAC 25-130-784.13(b)).
4. Show the locations of buildings, utility corridors, and facilities to be used (4 VAC 25-130-780.14(b) and 4 VAC 25-130-784.13(b)).
5. Show the location of any coal storage, cleaning, processing and loading areas (4 VAC 25-130-780.14(b) and 4 VAC 25-130-784.13(b)).
6. Show the location of any topsoil, spoil, coal preparation waste, underground development waste, and non-coal waste storage (4 VAC 25-130-780.14(b) and 4 VAC 25-130-784.13(b)).
7. Show each source of waste and waste disposal facility relating to coal processing or pollution control (4 VAC 25-130-780.14(b) and 4 VAC 25-130-784.13(b)).
8. Show the location of explosive storage and handling facilities (4 VAC 25-130-780.14(b) and 4 VAC 25-130-784.13(b)).
9. Show the area of land to be affected within the proposed mine plan area, according to the sequence of mining and reclamation (4 VAC 25-130-780.14(b)(2) and 4 VAC 25-130-784.13(b)(2)).
10. Slope measurements shall be taken to reflect changes in geomorphology.

PRIOR DISTURBANCE MAP

1. Show location of all existing structures to be used (4 VAC 25-130-780.12 and 4 VAC 25-130-784.12)).
2. Show face-up and ventilation areas of all underground mining operations, whether active or inactive (4 VAC 25-130-779.25(a)(5) and 4 VAC 25-130-783.25(a)(5)).
3. Show the limits of surface mining operations (past and present) (4 VAC 25-130-779.25(a)(8) and 4 VAC 25-130-783.25(a)(8)).

- 21.3 **Application Comments** - Provide comments and responses received relative to this application immediately following this section as Attachment 21.3.
- 21.4 **Map Legend** – Attach legend for new permits, acreage revisions & CSMO permit renewals.
- 21.5 **Point Data** -Provide all applicable point data associated with the application on attachments 4.2, 5.3, 5.7, 5.12 and 5.15.

DMLR Electronic Permitting Data Extraction Requirements

| Data | Layer Name | Data Type | Line Type |
|---|-------------------|-----------|---------------|
| Permit Boundary Approved ¹ | PB_Applic# | Polyline | Continuous 2d |
| Relinquishment Boundary Approved ^{1 2} | RLQ-P.N.#_Applic# | Polyline | Continuous 2d |
| PMU Approved ¹ | PMU_Applic# | Polyline | Continuous 2d |
| Hollowfills Approved ^{1 3} | HF_Applic# | Polyline | Continuous 2d |
| Permit Boundary Revised ^{6 7} | PBR_Applic# | Polyline | Continuous 2d |
| Relinquished Boundary Revised ⁸ | RLQR-PN#_Applic# | Polyline | Continuous 2d |
| PMU Revised ^{6 7} | PMUR_Applic# | Polyline | Continuous 2d |
| Hollowfill Revised ^{6 7} | HFR_Applic# | Polyline | Continuous 2d |
| NPDES ⁴ | NPDES_Applic# | Point | N/A |
| Surface (Instream) ⁴ | SW_Applic# | Point | N/A |
| Groundwater ⁴ | GW_Applic# | Point | N/A |
| Rainfall Gauge ⁴ | RF_Applic# | Point | N/A |
| Digitizing Tics ⁵ | Tics_Applic# | Point | N/A |
| Geologic Samples ⁴ | Geol_Applic# | Point | N/A |

¹ Only show approved boundaries for existing permits (boundary configurations prior to current submittal). The Permit Boundary Approved, PMU Approved, Hollowfill Approved, and Relinquishment Approved layers shall be 2d polylines that are continuous and **closed**. For Original Applications the Permit Boundary Approved, PMU Approved, and Hollowfill Approved layers will not be necessary.

² Each Relinquished Permit Boundary shall be on a separate layer named accordingly.

³ Each hollowfill shall be labeled with the company id using the dtext command. The text must be placed within the hollowfill boundary.

⁴ NPDES, Surface Water, Geologic Sample, and Rainfall Gauge layers are all point data features. All point data shall be drawn with one of the standard AutoCad point style symbols with the point size set to 100 absolute units. The point data shall be labeled with the appropriate company identifier using the dtext command, with a start point for the label being the node of the point, height of 40.0, and rotation angle of 0.0.

⁵ The Digitizing Tics layer is comprised of four (4) points placed in the drawing in a manner that allows all features drawn on the map to be contained within these tics. The tics shall be labeled for their corresponding state plane coordinate value using the dtext command, with a start point for the label being the node of the point, height of 40.0, and rotation angle of 0.0.

⁶ Shall only contain the polyline(s) that constitute the acreage amendment.

⁷ For original applications, the Permit Boundary Revised, PMU Revised, and Hollowfill Revised layers shall be 2d polylines that are continuous and **closed**.

⁸ Shall only contain the polyline(s) that define the area being relinquished. Each permit that requires a relinquishment must be shown on a separate layer that is named accordingly.

THE FILE FORMAT SHALL BE AN AutoCAD® DRAWING FILE (DWG) WITH THE COORDINATE SYSTEM OF THE DRAWING BEING VIRGINIA SOUTH NAD27 STATE PLANE COORDINATES. HATCH OR FILL PATTERNS ARE NOT ALLOWED, NOR ARE BLOCKS.



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

**CERTIFICATION - APPLICATION FOR PERMIT
COAL SURFACE MINING AND RECLAMATION OPERATIONS**

| | | | |
|--------------------------|--|---------------------------|--|
| NAME OF APPLICANT | | APPLICATION NUMBER | |
|--------------------------|--|---------------------------|--|

CERTIFICATION:

I hereby certify that I am the authorized representative of the Applicant and affirm that the information provided on this form and all attachments submitted herewith are true and accurate to the best of my knowledge. I further affirm that the surface coal mining and reclamation operations proposed under this Application will be conducted pursuant to the terms and conditions of this Application, or such conditions as may be set by the Division pursuant to the requirements of the **Virginia Coal Surface Mining Control and Reclamation Act of 1979** (Chapter 19, Title 45.1, **Code of Virginia** (1950), as amended), and the regulations promulgated thereunder.

| | | | |
|-----------------------|--|-------------|--|
| Signature | | | |
| Title/Position | | Date | |

NOTE: If the person signing this certification is not listed under Item 1.6 of the “Application for Coal Surface Mining and Reclamation Operations – Permittee Information” (DMLR-PT-034p), attach a copy of the Power of Attorney, or Resolution of Board of Directors which allows the person to act on behalf of the Permit Applicant.

Notarization:

Subscribed and sworn/affirmed to before me by _____ this
_ day of _____, 20 _____, in the City/County of _____.

| | | | |
|--------------------------------|--|--|--|
| Notary Public Signature | | My Commission Expires (attach SEAL) | |
|--------------------------------|--|--|--|



COMMONWEALTH OF VIRGINIA
 DEPARTMENT OF MINES, MINERALS AND ENERGY
 DIVISION OF MINED LAND RECLAMATION
 P. O. DRAWER 900; BIG STONE GAP, VA 24219
 TELEPHONE: (276) 523-8202

| CERTIFICATION SHEET | | | |
|---|--|---------------------------------|--|
| APPLICANT | | APPLICATION NUMBER | |
| Certification: I certify that the following items to the best of my knowledge are true, complete, and accurate Certifications; and, that I have exercised due care in the collection, compilation, reporting, and preparation of the data relative to such Certifications. (Section 10.8 of the Board of Architects, Professional Engineers, Land Surveyors, and Landscape Architects Rules and Regulations requires that the certifying professional's stamp or seal, as well as an original signature and date, be applied to each plan, drawing, plat or map. The person certifying said documents must comply with this requirement.) | | | |
| Certification Title/Subject | | Location in Application Package | |
| | | | |
| | | | |
| | | | |
| | | | |
| Certified By: | | | |
| Signature: | | | |
| Certification or Registration No. | | Expiration Date | |
| (SEAL) | | | |



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINED LAND RECLAMATION
P. O. DRAWER 900; BIG STONE GAP, VA 24219
TELEPHONE: (276) 523-8202

AFFIDAVIT

This is to certify that I, the undersigned, am the duly authorized representative of the following company, and I hereby certify that said company has paid all reclamation fees lawfully assessed it from the effective date of the **Federal Surface Mining Control and Reclamation Act of 1977** (herein “Federal Act”) through the _____ Calendar quarter of 20____, as required by .402 of the Federal Act (30 U.S.C. 1232) .

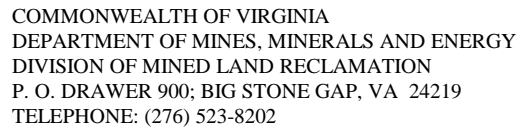
This Affidavit is submitted to the Division of Mined Land Reclamation to satisfy the requirements for payment of reclamation fees pursuant to 4 VAC 25-130.773.15(c)(7) of the **Virginia Coal Surface Mining Reclamation Regulations**.

| | | | |
|----------------------------------|--|--------------|--|
| Company Name | | | |
| Authorized Representative | | Title | |
| Signature | | Date | |

NOTARIZATION:

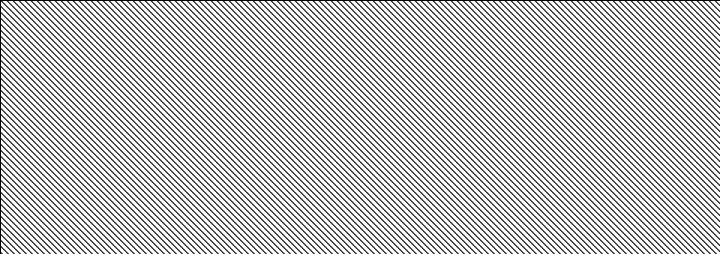
Subscribed and sworn/affirmed to before me by _____ ,
this ____ day of _____ , 20____ , in the County/City of _____ .

| | | | |
|--------------------------------|--|--|--|
| Notary Public Signature | | My Commission Expires (Attach Seal) | |
|--------------------------------|--|--|--|



| | | | | | |
|---------------------------|---|-----------------------------------|-------------------------------------|------------------------|--|
| Map Type: | <input type="checkbox"/> Application | <input type="checkbox"/> Renewal | <input type="checkbox"/> Revision | CSMO Permit No. | |
| Check appropriate box(es) | <input type="checkbox"/> Relinquishment | <input type="checkbox"/> Deletion | <input type="checkbox"/> Completion | | |

| COLOR CODE | NUMBER OF ACRES | ACRES | SINCE PERMIT ISSUANCE, TOTAL NUMBER OF ACRES | ACRES |
|---------------------|---|-------|---|-------|
| OUTLINED RED | Covered by the Permit. (If amending acreage, provide the existing and amended acreage amounts ____ + ____.) | | Disturbed. | |
| SHADED RED | Undisturbed and will not be disturbed next __ months. | | Regraded. | |
| SHADED YELLOW | To be disturbed next __ months. | | Vegetated. | |
| CROSS-HATCH MAGENTA | That will be remined (previously disturbed). | | Remaining undisturbed. | |
| SHADED BROWN | Regraded without partial bond release. | | With partial bond release. | |
| SHADED GREEN | Vegetated without partial bond release. | | | |
| CROSS-HATCH BROWN | Regraded with partial bond release. | | | |
| CROSS-HATCH GREEN | Vegetated with partial bond release. | | | |
| CROSS-HATCH ORANGE | Disturbed, but not regraded. | | | |
| CROSS-HATCH PURPLE | Being relinquished to _____ , under Permit No. ____ . | | | |
| CROSS-HATCH RED | Being deleted. | | | |
| SHADED BLUE | Streams, water drainways, sediment ponds. | | | |
| BLACK LINES | Distinguish separate increments (i.e., incremental bonding). | | | |

| | | | |
|--|--|--|--|
| MAP PREPARED BY | | | |
| P.G. Certification No. (Virginia) | | P. E. License No. (Virginia) | |
| CERTIFICATION: I, the undersigned, hereby certify this map to be true and accurate, showing to the best of my knowledge and belief, all information required by the Virginia Coal Surface Mining Control and Reclamation Act of 1979 , as amended, and the regulations promulgated thereunder. | | | |
| AFFIX SEAL | |  | |
| | | | |
| Signature: _____ Date: _____. | | | |